

Regular Meeting of California Borough Council, February 11, 2016, 6:30 pm

President Alfano called the meeting to order at 6:45 pm.

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

ABSENCE: Mr. Encapera and Mayor Weld

MOMENT OF SILENCE PLEDGE OF ALLEGIANCE

ADDITIONS OR CHANGES TO AGENDA

Mrs. Gutosky added Solicitor's bill - \$2169.00

Mr. Difilippo added Widmer Engineering's bills

Solicitor added First National Treasury Agreement

Engineer added Notice of substantial completion – Bella Enterprise, and payment application for Lone Pine Construction, and Sewer module for Washington Health Systems

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

PUBLIC COMMENT

Mr. Maddix stated he thinks the cost of the Cab for the Mower under the Street Dept. is too high.

MINUTES

Motion by Difilippo/Gutosky to approve the minutes of the Reorganization Meeting of January 3, 2016 carried with all members present stating aye.

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

SECRETARY'S REPORT – MS. EVANS

Ms. Evans read the accounts payable and account balances as of January 31, 2016

PRESIDENTS'S REPORT – MR. ALFANO

EXECUTIVE SESSION – JANUARY 14, 2016

Mr. Alfano stated the Executive Session from January 14th dealt with a potential lawsuit.

MACKIN ENGINEERING INVOICE

Motion by Gutosky/Difilippo to authorize payment of Mackin Engineering's invoice #43386 in the amount of \$3,229.21 duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Bittner to authorize payment of Mackin Engineering's invoice #43413 in the amount of \$2,642.98 duly carried on a roll call vote with all members present voting yes.

ASSIGNMENT OF COMMITTEE HEADS

Mr. Alfano stated he handed out a list of department heads so there are three council members on each committee and created a committee called recreation who will be work between the recreation authority and council.

TBI CHANGE ORDERS 005,009,010,011

Mr. Alfano stated we have several change orders from TBI

The first one is 005 and was for changing the interior doors in the police department from painting to staining.

Motion by Bittner/Difilippo to pay TBI Change Order #005 in the amount of \$2,500.00 duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated the next one is for \$1,331.28 and is for changes that council made in council chambers.

Motion by Bittner/Difilippo to pay Change Order #009 in the amount of \$1,331.28 duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated the next one is for \$555.17 and is for changes in the zoning area to add outlets for the copier and other things.

Motion by Bittner/Difilippo to pay Change order #010 in the amount of \$555.17 duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated the last one is for \$3,205.26 and is for adding double doors to closet in the lobby.

Motion by Gutosky/Glab to pay Change order #011 in the amount of \$3,205.26 duly carried on a roll call vote with all members present voting yes.

MR. ENCAPERA ENTERED THE MEETING AT 7:00 PM

TBI PAYMENT REQUEST #7

Mr. Alfano stated we have a payment request from TBI in the amount of \$116,972.10.

Motion by Mariscotti/Glab to approve payment of TBI's Payment Request #7 in the amount of \$116,972.10 duly carried on a roll call vote with all members present voting yes.

BOROUGH ADMINISTRATOR'S REPORT- DR. MARTIN

UPDATE ON MOVING BACK TO ORIGINAL OFFICES

Dr. Martin stated he would like to publicly commend all of the people that work in this building for the smooth transition that we were able to make from being all crunched in this room doing all of the business in the borough and moving into the wing and down into new zoning wing. These people worked very hard and went way beyond the scope of their job responsibilities and they made the move successful. Now we are getting unpacked and organized and getting things together over there, but these folks did a wonderful job of setting up to do the business of the borough.

SNOW REMOVAL – STREET DEPARTMENT

He stated he would also like to commend Mr. Tудay and the Street department employees for the excellent work that they did during the recent snow emergency. The streets were cleared and they were cleared efficiently and those men did wonderful work and that should be noted.

STREET LIGHTING

He would also like to report to council that he has been in communication with Diane Holder and you may have noticed that the duplicate overhead lighting down here on Third Street has been addressed and the cobra head overhead arching lights have been moved and that problem has been taken care of. He stated that he is also working with Ms. Holder and I intend to bring to council at the next meeting a proposal that would at no cost to the borough change the street lighting that West Penn does for us over from the current type bulbs to LED's which would represent a significant savings in electrical consumption to the borough. He will bring the proposal after he and Ms. Holder have worked out the details but it looks like a very promising discussion at this point.

WEST PIKE RUN RESTORATION PROJECT

He would also like to update council that he conferred with Mike Barret from PennDOT on a Knotweed management program down along the creek at Rotary Park as part of the West Pike Run restoration program so we will be clearing and cutting the Knotweed three times a year so that the project can continue. He stated it is a pretty large scale partnership with PennDOT and the University and several other entities to improve that area for our residents.

FEDERAL SURPLUS MEMBERSHIP

He stated also, we are reapplying to the Pennsylvania Department of General Services for the Federal Surplus program for which the borough has participated in for some time and this is an annual renewal and I've initiated the paperwork to keep us active in that program on behalf of council.

WINDOW CLEANING

Finally, at council's direction he did approach the cleaning service that does the inside of the building about the possibility of doing the inside and outside windows and the gentleman is coming down to look at it and give us an estimate but his comment to Ms. Evans was that he thought what we were paying now was very reasonable. When he comes down and gives us a number I will report back to council.

PUBLIC HOUSING – MR. GLAB

Mr. Glab stated the zoning and code enforcement officers have spent numerous hours at the District Magistrate's office resolving some issues and hopefully Monday we will see the fruits of their labor down on Second Street. Assuming that this will occur he would like to thank Dr. Martin, John Petro, Mike Garlowich, and Tom Agrafiotis for the work they've done to keep this moving and get the job done.

WASHINGTON HEALTH SYSTEM

Mr. Glab asked Mr. Eby if Widmer Engineer has had a chance to look at it. Mr. Eby stated they have finished everything on Widmer's checklist. He stated they will be billed on 2 EDU's and reevaluated after one year of monitoring. Mr. Glab asked the Solicitor if he is okay with the subdivision. Mr. Agrafiotis stated yes as long as they have complied with John's recommendations and Widmer's recommendations. These changes are minor according to Mr. Petro and he also recommends conditional approval. Mr. Agrafiotis stated he recommends conditionally as well that Mr. Leer said that almost everything in his January 14th letter has been done except for one thing, item # 4 he believes and those requirements as stated here earlier

Motion by Glab/Difilippo to approve the subdivision for Washington Health Systems contingent on the following clarifications from appendix 1 of the Subdivision Land Development Ordinance Number 75 that were omitted ; 1. They place in the order the Municipal Declarations, section 5A and the Acknowledgement Section 2C, in addition they purchase 2 Edu's that is based upon the number of employees that they will have in that facility and the number of patients they anticipate seeing and as in past practice after one year there we will review that to make sure it is fair and equitable for both sides and the recommendations discussed earlier duly carried on a roll call vote with all members present voting yes.

NAVARRO SUBDIVISION

Mr. Glab stated there are several items here that need to be addressed and a letter went out to this afternoon to the Solicitor and at this point I will turn it over to Tom. Mr. Agrafiotis stated Mr. Leer provided him with four things he thinks need done to correct the Navarro subdivision. He stated from his understanding there is a revised subdivision that will be coming from Mike. Mr. Eby stated his office talked with Mr. Petro who had a couple of changes that he wanted made. Mr. Terry McMillen of McMillen Engineering approached the microphone and stated that he is the surveyor in charge of the Navarro subdivision. Mr. Agrafiotis stated he has an email he will have to forward to Mr. McMillen concerning Mr. Leer has some additional things he would like changed. Mr. Agrafiotis asked Mr. McMillen what they intend to do about the drawing and it shows the borough's roads on his clients property. Mr. McMillen stated he would suggest that the developer change it because he doesn't understand why his clients would have to deed it over to the borough because that almost sets precedents that any developer out there can kind of go crazy with their paving when they do a road and then the borough can come back and say give me your property because it's paved. Mr. Agrafiotis stated Mr. McMillen provided him with some case law also so he will take a look at it. Mr. McMillen stated there is a lot of room in the borough right of way but whoever did the road did not follow the contours of the right-of-way. Mr. Alfano asked how much we are talking about. Mr. Petro stated 33 sq. ft. it's pretty small. Mr. Agrafiotis stated there is also the borough's right of way that would extend passed that so it's just not out to the edge of the road. Mr. McMillen stated so now you want to take more of my client's property. Mr. Agrafiotis stated he'll have to take a look at it he just got these plans tonight. Mr. McMillen stated the plans have been down here at the borough and he feels it is unreasonable to have his clients be made to deed over the property. Mr. Agrafiotis stated he

received an email today with some additional stuff so he will forward that to Mr. McMillen for his review. Mr. Alfano asked who's responsible for fixing that road issue, the borough? Mr. McMillen stated the clients are necessarily saying the road has to come out they just don't feel that they should have to deed it over to the borough because the paver paved into their property. Mr. Alfano stated there is some urgency here because they want to build. Mr. Agrafiotis stated he's not trying to hold them up but we have 90 days. He doesn't think it is close enough to conditionally approve it tonight but that is up to council. Mr. Alfano stated we can continue this meeting and address it then.

PUBLIC WORKS – MR. MARISCOTTI

STREET DEPT. UPDATE

Mr. Mariscotti stated of course of the guys have been plowing.

JOHN DEERE CAB

Mr. Mariscotti stated we haven't found a better price so we are going to put this on hold for right now.

LIST OF ROADS TO PAVE

Mr. Mariscotti stated Mr. Tудay prepared a list of roads to be done this year. We had Green Street from Pennsylvania to Ellsworth Street last year but with the mishap it didn't get done so we'd like to put Green Street back on for this year. He stated Green Street would be top coat only and would cost \$14,200.00. The next road to get a top coat only is Intermediate Unit Drive. He stated this road has never had a top coat only a base so the water doesn't actually hit the drains. There is some base repair that needs to be done on Intermediate Unit Drive and the top coat should cost approximately \$19,800.00. From what he's being told we have about \$98,000.00 to pave so these two roads add up to \$34,000.00. We would like to put \$20,000.00 towards North California Drive and that would be 3" of paving out there and would like to do the same to Short Ridge Road both of these would be modified binder. That brings us \$74,000.00. We'd also like to tar and chip Blain Road and Knob School Road and the cost of both of these would be \$19,200.00. So our money will be pretty well gone. Mr. Tудay stated Mulberry court isn't on the liquid fuels list, Intermediate Unit Drive is but Mulberry is not. Mr. Alfano asked them to check it out. Mr. Tудay stated he'd like to do that but didn't have the dimensions because it wasn't on his liquid fuels list. Mr. Mariscotti stated the order of importance is the order in which he read them.

DIRT AND GRAVEL PROGRAM

Mr. Mariscotti stated we started a while back with the Dirt and Gravel program and ran into some right of way issues on the drainage on a few roads. He is now under the impression and Mr. Tудay stated he believes there will not be any issues on this anymore and would like to get those cross drains installed. Mr. Mariscotti stated we need to make sure we have the property owners permission to install those cross drains and then if that flies we can go after the dirt and gravel money. Ms. Evans asked which road this is. Mr. Mariscotti stated Cross Ridge Road. Mr. Glab asked Mr. Tудay if he will be able to get a tar buggy this year because he noticed that some streets have a lot of cracks. Mr. Tудay stated yes we will be doing that probably the first week in August.

COSTARS – 2016-2017

Mr. Mariscotti stated we need to renew our membership in the Department of General Service Sodium Chloride contract agreement which runs from July 2016 through July 2017.

Motion by Mariscotti/Glab to enter into renewing our participation agreement with Department of General Service's Costar program duly carried on a roll call vote with all members present voting yes.

PUBLIC SAFETY – MR. BITTNER

PARKING ORDINANCE REVISIONS

Mr. Bittner stated Dr. Martin and I are handling that and it is an ongoing process and we're going to try and bring a representative from the meter firm in to see how we can calibrate our meters and we're looking at price changes in certain zones downtown also.

TRI COUNTY BOROUGH ASSOCIATION MEETING

Mr. Bittner announced that the Tri County Borough Association meeting will be next Thursday in Newell.

EMERGENCY RESPONSE TO DRUG OVERDOSE CLASSES

Mr. Bittner stated Chief Encapera just gave him this today and the District Attorney is hosting a class on Emergency response to drug overdoses on Feb. 16th and Chief would like to send the officers who are available to go there. Those who are not on shift that day will be paid straight time for education purposes.

Motion by Bittner/Difilippo to authorize Chief to send the appropriate amount of officers to the Emergency Response to Overdose classes duly carried on a roll call vote with all members present voting yes.

FINANCE – MRS. GUTOSKY

MONTHLY BILLS

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

SOLICITOR’S BILL

Motion by Gutosky/Encapera to pay Melenzyer & Agrafiotis’s bill in the amount of \$2,169.00 of which is \$1,949.00 is general fund and \$220.00 is sewer fund duly carried on a roll call vote with all members present voting yes.

PUBLIC HEALTH – MR. DIFILIPPO

Mr. Difilippo stated everyone knows there is a letter we received requesting their late fees be waived. He stated he’s not making a motion to do that and if anyone else wants to make a motion that’s fine. Mr. Alfano asked if anyone wanted to make a motion to waive the late fees. Mr. Glab asked if we should notify him that we are denying it. Mr. Agrafiotis stated you are not taking any action on it. Mr. Alfano asked if we needed a motion to deny it. Mr. Agrafiotis stated you can just tell him it was brought up and council decided not to do anything with it. Mr. Difilippo stated that’s fine.

WIDMER ENGINEERING BILL

Motion by Difilippo/Glab to pay Widmer Engineering’s bill in the amount of \$5,675.00 which breaks down to Waster water treatment plant - \$770.00, Main pump station design - \$4,635.00, and 3 hours of engineering on the Cross Street matter duly carried on a roll call vote with all members present voting yes.

MAYOR WELD ENTERED THE MEETING AT 7:30 PM

PERSONNEL – MR. ENCAPERA AND MR. MARISCOTTI

Nothing to report

MAYOR’S REPORT- MR. WELD

There will be another drill held at the School District tomorrow and Mr. Bittner handled his other item.

ENGINEER’S REPORT – MR. EBY

MAIN PUMP STATION UPDATE

Mr. Eby stated first they were to locate the volume for the flow meter and the existing force main was too close to the existing pump station motor so we couldn’t put where the drawings called for so we couldn’t find a place to put it so after talking to Doug and Ron we installed vault outside the fence. As soon as that gets done the flow meter goes in the vault and it’s ready to be calibrated and placed in operation and that is scheduled for Tuesday the 13th of February. We wanted it in so we can get a read of the current flows and then after we change out the pumps get a read on the new flows. Start up is scheduled for Monday the 29th. There is a phone already at the pump station but we’re going to talk to the start- up guys to see if we should run cable. Mr. Mariscotti asked what the water pressure problem was from. Mr. Eby stated it was a pressure regulator. We actually dug up the lines and tore up everything in the building and then we went

to the pressure regulator and when we pulled it out it was dated 1980. The pump station is not that old so he's not sure where the regulator came from. Once we changed that out we went from 43 lbs. to 78 lbs.

BLOWER MOTORS

Mr. Eby stated we're working on getting prices for blower motors. We had one go down and it's in the shop being torn down right now and he should have more information on the problem at the next meeting. He stated he's working on costs for a new motor and he will get that to council as soon as he gets that ironed out.

NOTICE OF SUBSTANTIAL COMPLETION – BELLA ENTERPRISE

Mr. Eby stated this was discussed and acted on but he couldn't find an executed copy of it. He asked council to sign off of it and he would send it out. Ms. Evans stated she doesn't know if there was an actual motion to sign the notice of completion so could we do that tonight to avoid confusion if council chooses.

Motion by Bittner/Difilippo to authorize Council President to sign Notice of Substantial Completion with recommendations of the solicitor and date it July 10, 2015 duly carried on a roll call vote with all members present voting yes.

PAYMENT REQUEST – LONE PINE CONSTRUCTION - \$31,480.50

Mr. Eby stated he has payment request #1 from Lone Pine Construction in the amount of \$28,333.35 which leaves retainage of \$31,480.50.

Motion by Mariscotti/Difilippo to pay Lone Pine Construction's payment request #1 in the amount of \$28,333.35 duly carried on a roll call vote with all members present voting yes.

SEWAGE MODULE - WASHINGTON HEALTH SYSTEM

Mr. Eby stated he has a sewage module for Washington Health Systems and Mr. Alfano stated we don't need a motion for that.

SOLICITOR'S REPORT –MR. AGRAFIOTIS

EXECUTIVE SESSION

Mr. Agrafiotis requested council call an executive session after the meeting tonight for litigation purposes.

ARMSTRONG RESOLUTION

Mr. Agrafiotis stated he's completed the resolution on Armstrong's contract and he did notify the solicitor for the school district that we are only covering them for 2016 and a formal letter will be issued to them along with the resolution which we can get signed tonight. He stated he will send it to them.

WASHINGTON HEALTH SYSTEMS

He will email his copy about the Washington Health Systems subdivision to council.

FIRST NATIONAL TREASURY AGREEMENT

Mr. Agrafiotis stated there are a couple of things he has objections to in the Treasury Management Agreement from First National Bank and he'll contact them and see if they are willing to change it.

FLOODPLAIN ORDINANCE

Mr. Agrafiotis stated he and John Petro were working on to have it done for this meeting but the woman from FEMA never responded to Mr. Petro as to whether or not our proposed new language will be sufficient so we're not going to do it and then come back a third time and say it's no good.

PARK STREET SEWER ISSUE

Mr. Agrafiotis stated he did send a letter to both the owner and the rent to own tenant. Both letters were sent certified and he will get a Shirley a copy of those.

FORECLOSED PROPERTIES

Mr. Agrafiotis stated Shirley had sent an email about an Ordinance that on properties that are vacated the banks should update us so we know what is going on instead of back tracking trying to find out who actually owns the property. He stated he thinks that is a good idea so we should probably do that. He stated it would be some kind of ordinance that would require banks and mortgage companies to register with the borough foreclosed properties.

PENNDOT AGREEMENT

Mr. Agrafiotis stated he finally got all the exhibits but it is still kind of confusing. He thinks the agreement is pretty straight forward and he knows there was some concern as to what the borough would be on the hook for and this agreement is only for the \$300,000.00 grant. It says that the sponsor is on the hook for the rest of the money whatever that would cost but he would like to have that in writing from the Redevelopment Authority. He stated there is something else he is a little concerned about it basically says that the Redevelopment Authority that if there is an issue with the money they are given that that could affect any future monies that the borough gets. He doesn't understand that if they are holding the money. He will ask them for clarification on that. He stated one other thing he wants to mention is that we would be on the hook to do any type of traffic control. He stated if someone comes along and says hey we need a light there then we are responsible. Once we get the answers about these two concerns we can get that signed early next week.

OLD BUSINESS

No old business at this time

NEW BUSINESS

Ms. Evans asked Mr. Tудay if an individual called him from the University concerning shovels needed for operation snowflake. He stated that he did call and he doesn't think we have enough shovels but he will do a count.

Mr. Glab stated he was out West Pike Run and talked to a couple of supervisors out there and they have an Ordinance that deals with Oil Well fee schedules and issues that they've run into and they feel it works really well. So far we haven't had any wells within our borough but maybe we should put ourselves ahead of the curve here and he will send me a copy of the ordinance and I will circulate it around. Mr. Agrafiotis stated Fallowfield Township just adopted a pretty comprehensive ordinance on this but he will still take a look at West Pike Run Township's.

RECOGNITION OF CITIZENS

DOROTHEA KULAK

Mrs. Kulak introduced herself and stated that she has a problem and as many of you may already know her and her husband bought a home in Monongahela and they have their house here up for sale. They've lived here for 75 years, they've paid their taxes, they've done all they could possibly do to maintain their property and keep it looking nice. Unfortunately, their effort to sell their house isn't working because the people that come to look at the house say the house is beautiful but they do not want to live in that neighborhood. She's spoken to many borough officials before about the abandoned property on Apple Street. It is an eye sore and a disgrace to this borough to have property like that standing. She would like council to tell her what actions she needs to take to get those properties demolished. Mr. Alfano stated our Code Enforcement Officer, Mr. Garlowich is here and between him, our engineer, and our solicitor we should be able to determine whether it is beyond repair and indeed deemed appropriate for condemnation. She stated she appreciate anything council could do to remedy this and thanked them for listening.

JIM MADDIEX

Mr. Maddiex stated the downspouts are not working property on the building borough and he wants to know when is the last time we've had them checked. Mr. Maddiex stated when we send police out for training and they work for other departments we should ask those other departments for contributions to help cover the costs. Mr. Maddiex stated he thinks that council should get a copy of the comprehensive plan sometime in March.

RECREATION AUTHORITY PRESIDENT

Mr. Alfano introduced Ashley Roth who is the 2016 President of the Recreation Authority for California Borough.

CONTINUED MEETING

Mr. Alfano continued this meeting until February 25, 2016 at 6:30 pm

EXECUTIVE SESSION

Motion by Difilippo/Bittner to go into executive session passed with all present stating aye.