

Regular Meeting of California Borough Council, February 12, 2015, 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

ABSENT: Mr. Encapera and Mr. Weld

PLEDGE OF ALLEGIANCE

ADDITIONS OR CHANGES TO AGENDA.

Mr. Glab added announcement of assessors coming into town

Mr. Alfano added Eagle Scout Project

Mr. Agrafiotis added Resolution 15-001, Ordinance 549, and Reapproval of the Encapera/Sisler line shift subdivision

Motion by Difilippo/Mariscotti to adopt the agenda and printed and amended duly carried with all members present stating aye.

PUBLIC COMMENT

Mr. Maddiex stated he dropped off after the committee meeting an article about the CDBG money concerning the increased budget for California of more than 50%. He asked what project is that on and if it was the Industrial Park Road. Mr. Alfano stated no that would be projects that are currently under progress. He stated he did call Kerry Fox and anytime they run more than a certain percentage over budget on projects they have to legally report that matter. The funding can come from other projects or future projects but this project down here, the streetlights, is going to run over substantially and they have already bid or getting ready to award the project of paving at Rotary Park so that may have gone over budget too so they have to report that fact. Mr. Maddiex stated the cost on these lights out here is entirely too high. He asked which year of CDBG funding is that being paid from. Mr. Alfano stated that is probably 2014 block grant money.

MINUTES

Motion by Mariscotti/Difilippo to adopt the minutes of the Regular meeting of January 8, 2015 carried with all members present stating aye.

Motion by Difilippo/Mariscotti to adopt the minutes of the Special Meeting of January 27, 2015 duly carried with all members present stating aye.

SECRETARY'S REPORT – MS. EVANS

Ms. Evans read the accounts payable and account balances for January 31, 2015.

Motion to approve the Secretary/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

EAGLE SCOUT PROJECT – BRIAN

He stated that his project has been approved by the Scouts and he would like to erect a Vietnam War Memorial at the liberty circle. He is ready to start collecting names and hopes to have it done by Memorial Day. He has a flyer he will pass around this evening and ask council if they could post it on the bulletin board and he will also be putting them around town. Mr. Alfano stated as long as the establishments are okay with him doing it then council wouldn't have a problem with it. He has to continue fund raising and continue to collect names. He asked who he would talk to about where specifically to place the monument. Mr. Alfano stated it would be best to meet with the Street Commissioner, Mr. Taday and someone from council to ensure that your placement will be good. He also asked council if they would consider donating to this. Mr. Alfano asked him if he has any cost estimates for this project. He stated yes it will cost

approximately \$7,000.00 and right now he has about \$4,500.00 of that. Mr. Alfano asked council if they have any inclination to donate to this project or wait and see how he makes out and if he has any shortfalls we can discuss it then. Mr. Alfano asked him to keep council abreast of how the project is going and how the fundraising is going and if he needs help they can get him help.

REPORT ON EXECUTIVE SESSION – FEB. 5, 2015

Mr. Alfano stated the executive session was on litigation and personnel matters at that meeting and some of those issues are still ongoing and we will report on them specifically at some point.

CHANGE ORDER – WASHINGTON COUNTY REDEVELOPMENT AUTHORITY

Mr. Alfano stated council was asked by RAWC to approve a change order in the amount of roughly \$9,000.00 and some change. They had some money but not all of the money for the \$11,000.00 change order so they would like us to approve and pay the difference. He asked council what they would like to do.

Motion by Mariscotti/Difilippo to not accept or contribute to the change order provided by the Redevelopment of Washington County duly carried on a roll call vote with all members present voting yes.

Mr. Glab stated that the solicitor reviewed that and made it clear that it is their responsibility and not ours.

MACKIN INVOICES

Mr. Alfano stated he has two invoices from Mackin Engineering that need paid.

Motion by Difilippo/Mariscotti to pay Mackin Engineering's Invoice #42651 in the amount of \$2,437.10 duly carried on a roll call vote with all members present voting yes.

Motion by Bittner/Gutosky to pay Mackin Engineering's invoice #42703 in the amount of \$1,043.59 duly carried on a roll call vote with all members present voting yes.

TRANSFER FROM BOND PROCEEDS TO GENERAL FUND CM SERVICES INVOICE 15-002- \$1,213.11

Mr. Alfano stated we have to transfer money from Bond proceeds to the general fund to pay CM Services invoice #15-002 in the amount of \$1,213.11.

Motion by Gutosky/Bittner to transfer \$1,213.11 from the Bond Proceeds Account to the General fund to pay CM Services invoice #15-002 duly carried on a roll call vote with all members present voting yes.

EP & D INVOICES

Mr. Alfano stated we have a couple of invoices from EP & D that need paid. They are doing the wharf project. The first one is for services rendered for December in the amount of \$3,116.46.

Motion by Difilippo/Gutosky to pay EP & D invoice for December 2014 in the amount of \$3,116.46 to be paid from the DCNR grant money duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated we will also need a motion to pay Environmental Planning & Design invoice for services during January in the amount of \$796.88.

Motion by Difilippo/Glab to pay EP & D's January invoice in the amount of \$796.88 from the DCNR Grant duly carried on a roll call vote with all members present voting yes.

Mayor Weld arrived at the meeting at 7:10 pm

Mr. Alfano stated we had some very in depth interviews this past week with our two finalists for borough manager and council will need to convene and decide who we want to pick and then make them an offer and come to employment terms with one of those gentlemen. We have interviews this coming week, Tuesday, Feb. 17th and 19th for the potential zoning official job. We will have three on the 17th and one on the 19th.

RECREATION AUTHORITY

Mr. Alfano stated he received a resignation from Recreation Authority member Rachel Roberts. Her letter indicates she is resigning for personal reasons.

Motion by Mariscotti/Difilippo to accept the resignation of CBRA Rachel Roberts duly carried with all members present voting yes.

RECREATION AUTHORITY – APPOINT MEMBER

Mr. Alfano stated he has a letter of interest from Ashley Roth to serve as a member of the Recreation Authority. He asked council if they want to interview her before appointing her. Mr. Glab stated he does not know her but if she expressed an interest in serving on the board we should go with it because we all know it is hard to get volunteers. Mr. Bittner stated he knows here because she is connected with the Village Day care up here and he knows her personally and he thinks she would be great candidate.

Motion by Bittner/Mariscotti to appoint Ashely Roth to finish the term of Rachel Roberts on the California Borough Recreation Authority until December 31st of 2016 duly carried on a roll call vote with all members present voting yes.

Mr. Alfano put out a plea stating we really need volunteers for all of these boards and authorities because we would like to get as many involved as possible. If anyone has any interest at all contact him or send a letter to council.

PUBLIC HOUSING – MR. GLAB

Mr. Glab stated we are going through the normal duties of the Zoning/Code office and they are providing updates and going out and citing. He stated that it is the winter season and you are required within 48 hours from the completion of snowfall to have your sidewalks cleared. If you have a problem doing that he thinks he saw something from one of the fraternities that will help people if they are senior citizens and private residents. He stated Mr. Petro has the number so just call the zoning officer and we'll try to help them out.

SHANNON KRATZER – REQUEST FOR VACATION PAY

Mr. Glab stated he doesn't know what to do about this and he is at a loss on this one. Mr. Glab stated if anyone wants to make a motion feel free. Mr. Alfano asked council what their wishes are. Mr. Agrafiotis asked if this is Shannon we are talking about. Mr. Glab stated yes. Mr. Agrafiotis stated he doesn't have a contract but under the non-uniform agreement anyone who was discharged was to get their vacation but I don't know what past practice is or policy is on this. Mr. Alfano stated so he earned them in 2014 to be used in 2015. Ms. Evans stated that is correct.

Motion by Mariscotti/Difilippo to deny Shannon Kratzer's request to be paid for his two weeks of vacation duly carried on a roll call vote with all members present voting yes.

ANNOUNCEMENT – ASSESSORS WILL BE IN THE BOROUGH

Mr. Glab read an announcement from the County that the assessors will be coming into California for the County Wide Reassessments.

PUBLIC WORKS – MR. MARISCOTTI STREET DEPT. UPDATE

Mr. Mariscotti stated they've been running around town salting and plowing. We have about 250 Tons of salt and 20 Tons of Anti-skid.

PURCHASE OF EQUIPMENT

Mr. Mariscotti stated last week we met with a gentlemen from Cleveland Brothers who is also here tonight and asked him if he has anything more prepared for tonight. David Tomaino stated the only comments he has is that they have a back hoe held for California Borough if they would vote on it tonight but once that unit is gone you may be able to get it in over the next 3 weeks or so but most likely he would have to re-quote it an according to Caterpillar there is going to be 10% price increase on that unit. Mr. Alfano stated in fairness with Cleveland Brothers he thinks council should decide if they want to deal with this back hoe issue tonight so if we're not buying it they can sell it to someone else. Mr. Mariscotti stated in speaking with Jeff he thinks the

current back hoe is sufficient for now and he would like to go for replacing the front loader at this time. Mr. Mariscotti stated everybody had numbers in their packets from last week but he wants everyone to know where we stand on past purchases. Mr. Mariscotti stated we still owe 5 payments on the street sweeper at an annual payment of \$38,375.12 and that gets split between the sewer department and street department. We have two payments left on the 2014 F550 Dump which are \$24,574.46. Mr. Mariscotti stated if we do purchase this front loader the payments would be four payments of \$20,222.00. Mr. Alfano asked Mr. Mariscotti where those funds would come from. Mrs. Gutosky stated it was not budgeted for we talked about having the need for it but were unable to budget for it. Mr. Mariscotti stated he asked to have something put in the budget. Mr. Bittner stated we found it necessary to remove it from the budget to help balance the budget. Mr. Bittner asked if we are going to have a continued meeting. Mr. Bittner stated let's sit down look over the budget because it is not going to make a difference if we buy this machine tonight or a week from tonight. We'll talk amongst ourselves and if we're going to make a decision we can do it at the continued meeting. Mr. Difilippo stated he would also like Jeff to get a cost of getting our current one rebuilt. Mr. Tудay stated that will be \$20,000.00 and you will still have a 20 year old machine. Mr. Alfano stated and we're going to need another police car soon too.

PARTICIPATION IN COSTARS 2015-2016 SALT PROGRAM

Motion by Mariscotti/Bittner to authorize participation in the Costars 2015-2016 Salt program duly carried with all members present stating aye.

STREET PROJECT

Mr. Mariscotti stated Jeff Tудay put together a paving program for this year and the streets that he would like to have paved. Mr. Mariscotti stated he just received it today so he's not ready to vote on it but these are in the order that Jeff would like to see them get paved and what roads he thinks need graveled. He would like everyone to look at it and make sure they agree with the priority of them and then we can get moving on it so Jeff can get these out for bid. Mr. Alfano asked Jeff if this is a realistic list that we can get done with the liquid fuels we have coming this year. Mr. Tудay stated no he just put them on there. Ms. Evans stated you have \$63,000.00 allocated for roads from Liquid fuels this year. Mr. Bittner asked Ms. Evans for a total amount of money that we will have to spend. Ms. Evans stated she had given those figures to Mr. Mariscotti. She stated there is currently \$111,000.00 in Street Improvement and \$63,000.00 in liquid fuels budgeted for this year. Mr. Bittner stated we will be getting 2 mils in revenue this year also. Ms. Evans stated yes throughout the entire year. Mr. Alfano asked Mr. Tудay if spoke to the people from the Dirt & Gravel grants and they are going to get pretty aggressive this year. Mr. Tудay stated he talked to her and he has one road that qualifies but we need some legal work for issues with cross drains in.

PUBLIC SAFETY – MR. BITTNER

K9 VEHICLE

Mr. Bittner asked if we are going to discuss the K9 vehicle at this time or does council need more time to investigate it. Mr. Alfano stated he would like more time to investigate it.

EMPLOYEE POLICY FOR REPORTING ACCIDENTS

Mr. Bittner stated Mr. Agrafiotis will bring this up under his report

APPROVED OVERTIME

Mr. Bittner stated the Supervisors have already talked to their departments about overtime and if there is going to be overtime except in the police and street department. He feels they should contact the council chair of their department and get it approved prior to working overtime. Mr. Bittner stated also we ran into this the other day it seems that when we have some people reporting off that no one seems to know about it. Mr., Bittner asked Mrs. Gutosky if she would take care of the administrative office. Mrs. Gutosky stated yes and there is also an issue of some people turning in time cards that are not stamped but are hand written. She stated we need a policy stating if it isn't stamped by the time clock then we can't pay it. Mr. Bittner stated he things he will make a motion to that effect in a few minutes.

MATS FOR MUNICIPAL BUILDING

Mr. Bittner stated he would to have the contract pulled and sent to Tom to see if we can get out of that because we are not getting the service we feel we should. If we get this done we will award that contract to someone else next week.

TRAINING – OFFICER SHEEHAN

Mr. Bittner stated Officer Sheehan attended some training and he asked if what the cost was on that. Mr. Sheehan stated he thinks it was just a little under \$600.00 and the school district will be splitting that with the borough.

Motion by Bittner/Glab to approve Officer Sheehan's training at a cost not to exceed \$600.00 with partial reimbursement from the School district duly carried on a roll call vote with all members present voting yes.

TRAINING – OFFICER VANDIVNER

Mr. Bittner asked Chief Encapera if he has a cost on this class. Chief stated it would just be his work day wages. Mr. Bittner asked what the official name of that class is. Chief Encapera stated it is at Carmichaels fire hall. Mr. Bittner stated is it for commercial vehicles. Chief Encapera stated yes it is for commercial vehicles.

Motion by Bittner/Difilippo to send Officer VanDivner to the Commercial Vehicle Class with not cost other than his wages duly carried on a roll call vote with all members present voting yes.

TIME CARDS

Motion by Bittner/Difilippo that all time be submitted on the time cards provided by the borough and any time not provided on those time cards will not be issued until it is put on the proper time cards for reimbursement for that pay period and have the Solicitor put that in the form of a policy duly carried on a roll call vote with all members present yes.

Mr. Difilippo asked if there is any reason that someone would not be able to punch in or out. Mr. Alfano stated unless they just plain forgot. Mr. Tuday asked what happens if he gets called out for an emergency should he go down and punch in and then go to the emergency. Mr. Bittner stated he is sure Tom can put something in there for special exceptions.

MON VALLEY PROGRESS COUNCIL BOXED LUNCH

Mr. Bittner stated the Mon Valley Progress council will be holding its box lunch tomorrow and Shirley, I, and Lori will be attending that.

FINANCE – MRS. GUTOSKY

Motion by Gutosky/Bittner to pay the monthly bills with the exception of window cleaning bill duly carried on a roll call vote with all members present voting yes.

Mrs. Gutosky asked Patsy if he had time to speak to the window cleaning about revising his hours and schedule. Mr. Alfano stated he spoke to the window cleaner and they have agreed to reduce their monthly window cleaning bill for just the exterior and the lobby to \$150.00 per month and they will do both the outside and inside quarterly for \$300.00.

Motion by Gutosky/Glab to pay the window cleaning bill at a cost of \$300.00 duly carried on a roll call vote with all members present voting yes.

PUBLIC HEALTH – MR. DIFILIPPO

WIDMER ENGINEERING INVOICES

Motion by Difilippo/Mariscotti to pay Widmer Engineering invoice #21412294 for the waste water treatment plant inspections and start up through December for \$11,535.00 duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Mariscotti to pay Widmer Engineering invoice #21501018 for the waste water treatment plant through January for \$16,025.00 duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Mariscotti to pay Widmer Engineering invoice #21412295 for \$3,992.50 for the Main pump station evaluation duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Bittner to pay Widmer Engineering invoice #21501019 for \$3,152.50 also for the main pump station evaluation duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Bittner to pay Widmer Engineering's invoice #21412297 for peach alley bid reviews at \$2,475.00 duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Bittner to pay Widmer Engineering's invoice #21501017 for the peach alley project at \$1,800.00 duly carried on a roll call vote with all members present voting yes.

PURCHASES

Motion by Difilippo/Gutosky to purchase a locking rolling ladder for the new sewage treatment plant at a cost not to exceed \$1,100.00 duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Mariscotti to purchase one computer from Response computer at a cost of \$636.00 duly carried on a roll call vote with all members present voting yes.

Mr. Difilippo stated we want to purchase Maintenance Program Software that will track and inform us of maintenance procedures on our equipment.

Motion by Difilippo/Mariscotti to purchase Maintenance Program Software at a cost of \$556.00 from USA Blue Book duly carried on a roll call vote with all members present voting yes.

Mr. Alfano asked if this will be installed on just one computer. Mr. Baker stated yes it will be on his computer down at the sewage plant. Mr. Difilippo stated but he can put all the borough vehicles on there. Mr. Glab asked if the computer and the software are compatible.

Mr. Alfano stated we need to find out who we can talk to from Advanced Disposal because we have a bunch of garbage issues here and nobody is returning our calls. He stated they fired everybody we ever talked to in the past and he doesn't even know where to go from here. Mr. Difilippo stated he tried to call several times about getting more of those containers and he can't get a phone call back from them either. Mr. Bittner stated that Mr. Taday has a contact and when he called him the other day he called me right back. Mr. Alfano asked who it was. Mr. Taday stated Dave Bitonti. Ms. Evans stated that is the same contact she had given Mr. Difilippo. Mr. Bittner stated he was there last week and he spoke to him. Mr. Alfano stated well we need to have a meeting and asked Jeff to set that up sometime during the week. Mr. Mariscotti stated let's do it on a Friday so he can see how many are missed by their trucks. Mr. Alfano stated well we need a better line of communication with them. Mr. Bittner stated he see people put one large item out and it is still left there after the truck takes the garbage.

PERSONNEL – MR. ENCAPERA & MR. MARISCOTTI

Mr. Mariscotti just to let everybody know we interviewed a couple of real nice candidates for the borough manager's position and we're doing some reference checks and have a few people to hear back from so we are going to continue this process and hopefully at the committee meeting get someone hired.

CONTINUED MEETING

Mr. Alfano asked if the 19th will work after we do the last interview for the zoning/code position. Council set the continued meeting for Feb. 19th at 6:30 pm

MAYORS REPORT

Mr. Alfano stated that Mr. Weld had to leave. Mrs. Gutosky stated he texted and he left for an emergency and would like someone to read his report.

HIRE FULL TIME OFFICER

Mr. Alfano stated he would like us to consider a full time officer. Chief Encapera stated that would be Officer Kurilko and he is on the civil service list and is actually being used five days a week now. Mr. Alfano asked if we could do a quick analysis of overtime hours from a year ago previous to us having a full complement of fulltime officer as compared to this year with a full time compliment so we can see if we're saving any overtime by hiring all these fulltime officers because it seems like we still have a lot of overtime. We could review these figures and then possibly hire Officer Kurilko next Thursday at the continued meeting. Mr. Glab stated there has to be justification to the numbers and there may be legitimate reasons for some of that overtime so keep in mind that just the basic numbers may not tell the whole story. Mr. Alfano stated that is understood but council and the general public need to know that we are justifiably hiring another full time officer. Mr. Bittner stated even though the numbers don't show a true picture there should be a decrease in the amount of overtime and it shouldn't be anymore because we were down two officers. Chief Encapera stated during the budget talks he was approached with using the part time people and the overtime and we discussed that having another full time person would definitely decrease the time of the part time people and right now he's using Kurilko 5 or 6 days a week on a part time status and hiring him full time would definitely take away from the part time overtime. Officer Sheehan stated some of that overtime is for the school's sports events. Ms. Evans stated she will compile the overtime numbers and deduct the hours that are reimbursable from the school district and the traffic control detail. Mr. Alfano asked council what they want to do. Mr. Alfano stated he has a problem with council always being reactive we have things we want to do here and the homework should be done ahead of time and we should be able to come to a council meeting and say here are the firm numbers and we have reason to think that this is going to be a good idea or not. Ms. Evans stated she is the one who bills for the School district's functions so she will deduct those numbers from the gross overtime. Mr. Glab asked if she could deduct court time too. Ms. Evans stated court time is not paid at time and half it is straight time wage. Mr. Mariscotti stated if we hire someone full time we will also cut down on the use of part timers. Mrs. Gutosky stated so if we hire him full time that should cut down on the overtime. Chief Encapera stated he's the only part time officer that is available. Mr. Mariscotti stated let Shirley run the numbers and see where we come out at. Ms. Evans stated she'll run the numbers and deduct the numbers that she bills outside agencies for and then email to council and Chief Encapera so he can adjust or account for some overtime due to certain cases or events that may have created overtime. Mr. Mariscotti stated let's just address it at the continued meeting.

FUNDRAISER FOR K9- SPAGHETTI DINNER

Chief Encapera stated there will be a spaghetti dinner on March 12, 2015 at the Gun Club to help to defer costs for the K9 Officer. He stated they will have an announcement sent out. Mr. Bittner asked who is sponsoring this. Chief stated right now Mayor Weld is doing all the leg work on it. Mr. Bittner stated this is not under the auspicious of the borough is it. Chief Encapera stated no.. Mr. Bittner asked Chief Encapera where the funds will go. Chief Encapera stated to the K9 Officer. Mr. Bittner stated if you remember we had a problem last time with T-shirt sales and everything and we ended up paying for t-shirts and it turned in to a royal mess and we don't need that again. Chief Encapera assured Mr. Bittner that this will not turn into a royal mess. Mr. Bittner stated he's not saying it will but we have to get our ducks in line. So then this money that is raised will go into our K9 fund as a donation. Ms. Evans stated it cannot have any borough affiliation and once it is over someone should turn the proceeds over in the form of a check and donate them to the borough K9 fund. Mr. Glab asked what time it started. Chief stated he doesn't know that. Mr. Bittner asked Chief if he has checked into any food donations or anything like we had before. Chief Encapera stated no not yet. Mr. Bittner asked when the K9 Officers training start. Chief Encapera stated his training started last week.

ENGINEER'S REPORT – MR. LEER & MR. EBY

WWTP UPDATE

Mr. Eby stated the facilities to the plant are running and actually went online Wednesday the 28th is when they switched everything from the old plant to the new plant and to date everything is running good. We had some minor glitches that were worked out. Mr. Eby stated Xylem will come in Tuesday or Wednesday of next week to give the operators their final training on the computers.

CHANGE ORDERS

MELE & MELE

Mr. Eby stated we have a couple of change orders for approval. The general contractor has a change order for \$26,950.68. That is for six items; drywall, pressure reducer valve in meter vault, temporary fittings to suspend solids for SBR start up, stone pad for West Penn Power, Coal Center pump station connection, and DIP reducer replaced with elbow. He still has 4 outstanding change orders that haven't been submitted.

A1 ELECTRIC

Mr. Eby stated A1 submitted their change order #3 for \$7,838.06 that has five items on it; lights in garage, electric work, receptacle in lab, conduit for flow meter, and installed 3 additional lights. Mr. Eby stated for next Thursday's meeting there will be nine more change orders that were given to council last week and did not get in Von's paperwork so there are nine more out there for \$11,459.08.

PAYMENT REQUESTS

MELE & MELE

Mr. Eby stated he has requisition #22 for Mele & Mele in the amount of \$242,299.29.

Mr. Alfano asked if anyone wants to make that motion.

Motion by Difilippo/Mariscotti to pay Mele & Mele's estimate number 22 in the amount of \$242,299.29 duly carried on a roll call vote with all members present voting yes.

XYLEM

Mr. Eby stated he has a payment request from Xylem for invoice #3556819799 in the amount of \$44,613.50 under requisition number 23 and this will be their final payment. They will be here next week so if everything goes good we can hand them their check.

Motion by Difilippo/Glab to pay Xylem's invoice #3556819799 in the amount of \$44,613.50 contingent upon completion of startup and training next week duly carried on a roll call vote with all members present voting yes.

DUPERON

Mr. Eby stated under requisition #24 is Duperon's final invoice #14466 in the amount of \$5,600.00 for the mechanical screen and it has been working fine.

Motion by Bittner/Difilippo to pay Duperon's invoice #14466 in the amount of \$5,600.00 duly carried on a roll call vote with all members present voting yes.

Ms. Evans asked Mr. Eby if we need to approve those change orders he reported on earlier.

CHANGE ORDER #3 – MELE & MELE

Mr. Alfano stated we need a motion to pay Mele & Mele's change order #3 in the amount of \$26,950.68.

Motion by Difilippo/Bittner to pay approve Mele & Mele's change order number 3 in the amount of \$26,950.68 duly carried on a roll call vote with all members present voting yes.

Mr. Difilippo asked the engineer on his estimation shouldn't most of these items have been built into the original contract price. Mr. Eby stated some are and some aren't.

EXTEND MELE & MELE'S CONTRACT

Mr. Eby stated the original contract expired for both contractors for the plants in February, and the plant did go online in January so he thinks it is on his change orders to be signed he's requesting a time extension. They are done but he wants to keep Mele's contract open because we still have crosses and he wants them to give him a price to do the demolition of the old plant so we don't want to close out the contract.

Motion by Mariscotti/Gutosky to extend Mele & Mele's contract until March 12, 2015 duly carried on a roll call vote with all members present voting yes.

Mr. Alfano asked Mr. Eby if we need to extend A1 Electric's contract as well and approve their change order.

A1 ELECTRIC – CONTRACT EXTENSION

Motion by Mariscotti/Gutosky to extend A1 Electric's contract until March 12, 2015 duly carried on a roll call vote with all members present voting yes.

A1 ELECTRIC CHANGE ORDER

Mr. Alfano stated we have A1 Electric's change order number #3 in the amount of \$7,838.06.

Motion by Difilippo/Bittner to approve A1 Electric's change order #3 in the amount of \$7,838.06 duly carried on a roll call vote with all members present voting yes.

R & B CONTRACT READY FOR EXECUTING

Mr. Eby stated the R & B Contract is ready for executing and the only item outstanding is the insurance certifications will expire today or tomorrow and they'll have to submit updated insurance certificates. Other than that we execute the contract and get things rolling.

Motion by Difilippo/Mariscotti to execute R & B's contract for Peach alley duly carried on a roll call vote with all members present voting yes.

DENTINO EASEMENT

Mr. Eby stated they are working with him to incorporate his changes into the documents and will submit them to him for review and signature.

BELLA ENTERPRISE PAYMENT #6

Mr. Eby stated we have Bella Enterprise's payment request #6 which they messed up on so we'll run them through the copier tonight but the amount is \$86,130.45 and he will bring the paperwork next Thursday and that will be with a retainage of \$34,831.06. Mr. Eby stated you can vote on this tonight unless there is anything else you need to add to the punch list.

SOILCITOR'S REPORT – MR. MELENYZER & MR. AGRAFIOTIS

POLICIES PROCEDURES FOR K9 OFFICER

Mr. Agrafiotis stated we are going to have to get together to go over the policies and procedures for the K9 and he will start a draft with council's input.

R-O-W AGREEMENT – PIERCE HARDY

Mr. Agrafiotis stated they are still working on the right –of –way agreement and First Energy is waiting to see if we can come to terms with Pierce Hardy and like he said Pierce Hardy want us to give them a blanket of liability police which he does not want to do.

CHECK FOR DAMAGED LIGHTS

Mr. Agrafiotis stated he received a check for the damaged lights over on Second & Rug Way. He stated they did not ask for a release so if there is damage late that you find on this pole you can still go after them. He will give that check to Shirley.

ENCAPERA/SISLER SUBDIVISION

Mr. Agrafiotis stated we need a motion to reapprove the Encapera/Sisler subdivision due to Attorney Mudrick today was the last day to record it so we need to reapprove it so we can resign and date it to get it recorded.

Motion by Mariscotti/Bittner to reapprove the Encapera/Sisler subdivision duly carried on a roll call vote with all members present voting yes.

DRAFT ORDINANCE 549

Mr. Agrafiotis stated council had asked them to prepare a draft ordinance on dye testing and that was passed out tonight for council's review

RESOLUTION 15-001

Mr. Agrafiotis stated that Mr. Bittner asked him to put some procedure together for when there is a wrecked borough vehicle and he put that in the form of a resolution 15-001. He asked Mr. Bittner if that was acceptable and wanted done. Mr. Bittner stated yes it met his expectations. It states that if the amount of damage exceeds \$500.00 the accident has to be investigated through the borough police and a report given to council within 24 hours. That would just be an estimate, someone could estimate whether the cost will exceed \$500.00 or not. He asked if anyone from council had any questions on resolution 15-001 or does he need to read through it. Mr. Alfano stated council can read through it and will put it on the agenda for the continued meeting. Mr. Melenyzer stated that sounds good and if you need any clarification or changes call down and talk to Tom.

Mr. Agrafiotis stated he will bring another resolution concerning the time card policy for next week's meeting.

RIGHT OF WAY

Mr. Melenyzer stated on the right of way agreement they are giving us a little bit of a hard time and he would like to simply on behalf of the borough to clear it up real quick that they either come to a reasonable term to us or we will just condemn it and then it will be our right of way. He thinks it is totally unreasonable that they want us to accept all liability for anybody including people going in and out of there for their business. If council has no problem he would like to tell them that if they don't come to reasonable terms fairly quickly then we will condemn it but he doesn't want to make idle threats so he would like to know if council would be okay if he used that language. Mr. Alfano stated we need to move this along. Mr. Melenyzer asked council if anyone has objections to him using that terminology and if need be he will come back for official authorization.

Mr. Melenyzer stated he and Tom will donate \$100.00 to start the fund for the dog.

Mr. Agrafiotis asked if First Energy ever sent back our money. Ms. Evans stated no they haven't returned the check.

Mr. Mariscotti asked Mr. Agrafiotis concerning Resolution 15-001 if we meet with somebody other than the police or the street department do they have to have a meeting with their steward. Mr. Agrafiotis stated they could request one absolutely. Mr. Bittner stated we wouldn't designate that that would be up to the employee to request that. Mr. Mariscotti stated he just wanted to make sure.

CAL UNIVERSITY POLICE AGREEMENT

Mr. Alfano stated we received an agreement from California University police and we are reviewing that with our solicitors as far as defining what roads they may exercise their police powers on and so forth. Along with that we have recommended revisions to some of the provisions in ordinance 534 that we are going to be looking at too.

OLD BUSINESS

No old business at this time

NEW BUSINESS

Mr. Alfano stated he would like to extend council's congratulations to the men and lady Trojan basketball teams for making the playoffs this year. They both have an outstanding opportunity to go far in the playoffs.

Mr. Baker stated the sewer truck is at Push & Pull getting the plow installed so we should have it soon.

RECOGNITION OF CITIZENS

Mr. Maddiex stated he has three things and the first thing is on the time cards is there a back-up system because if for any reason that machine should fail you should have a back-up. Second thing is at the committee meeting he brought up about the grader and that has been here since Edgar Harris became Street Commissioner and you indicated that it is only used a limited amount of times a year so why not try and sell it and get it off of our insurance policy and then if we need one we could rent one. The third thing is the planning commission's regular meeting

scheduled for March the 3rd and we'll be continuing on the comprehensive plan. This month's meeting was canceled.

CRAIG BUTZINE

Mr. Butzine stated he is not representing California University tonight but another fine organization which is the Tri County Chapter of the Washington Fayette and Greene County Pheasants Forever. One of his employees and a citizen Jose Taracido somehow roped him into being on their banquet committee. The good news is we are looking to have a location that is convenient for all the members and good for that type of event and they picked the California Hill Gun Club. That will be on March 21st and it is quite fitting because Pheasants Forever a lot of the habitat restoration actually started here in California Borough so it is nice that it has been moving around and came back here. He will leave the fliers that he brought here at the borough building for anyone that wants to come out or sponsor. Mr. Alfano asked if it is open to the public. Mr. Butzine stated yes it is. There will be a dinner and a bunch of prizes. Mr. Butzine stated this organization is one they looked at across the nation because of all the things they've accomplished here. Mr. Butzine stated this year is probably one of the best nesting years they've had and all the habitat that has been established is starting to take hold. Mr. Melenzyer stated he has been part of that organization for years and as a matter of fact they did some of the habitat restoration on his farms and it is a super group of people.

Mr. Alfano stated council will retire to an executive session and report at the continued meeting.