

## **Regular Meeting of California Borough Council, February 14, 2019**

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

**ATTENDANCE:** Mr. Alfano, Mr. Bittner, Mr. Difilippo, Mr. Glab, Mrs. Gutosky, Mr. Mariscotti, Junior councilmember Mr. Kotchman, and Mayor Stetar

**ABSENCE:** Mr. Encapera

### **MOMENT OF SILENCE PLEDGE OF ALLEGIANCE**

### **ADDITIONS/CHANGES TO THE AGENDA**

Mrs. Gutosky added the Solicitor's bill for payment

Mr. Difilippo added A.Folino's pymt. App. #4 and Hunter's Excavating invoice #363

Mr. Alfano added Hunter's Excavating pymt. Application

Mr. Agrafiotis added the Rental Ordinance

### **PUBLIC COMMENTS**

No public comments at this time

### **BID OPENINGS – TECHNOLOGY PARK**

Motion by Difilippo/Bittner to have the engineer open the bids for the projects at Technology park carried with all members present stating aye.

### **SWEARING IN OF NEW CHIEF OF POLICE**

Mayor Stetar administered the oath to Chief Sheehan

### **MINUTES**

Motion by Difilippo/Bittner to approve the minutes of January 10, 2019 carried with all members present stating aye.

Motion by Difilippo/Gutosky to approve the minutes of the Special Meeting of January 28, 2019 carried with all members present stating aye.

### **TREASURER'S REPORT**

Ms. Evans read the Accounts payable and the Account balances as of January 31, 2019.

### **PRESIDENTS REPORT – MR. ALFANO**

#### **REPORT ON EXECUTIVE SESSION – FEB. 7<sup>TH</sup>**

President Alfano reported that the executive session was on personnel matters concerning the Chief of Police.

#### **WIDMER ENGINEERING INVOICE – 21901030 - \$412.50**

President Alfano asked for a motion to pay Widmer Engineering invoice #21901030 in the amount of \$412.50 for misc. concrete project inspections.

Motion by Bittner/Mariscotti to Widmer Engineering invoice #21901030 in the amount of \$412.50 for misc. concrete project inspections duly carried on a roll call vote with all members present voting yes.

### **BOROUGH ADMINISTRATOR'S REPORT – DR. MARTIN**

#### **UPDATES**

Dr. Martin stated for updates he would refer council to the weekly departmental updates that he submits to council by email.

#### **CRYSTALLINE TECHNOLOGY QUOTE**

Dr. Martin stated in your packets is a quote from Crystalline Technology for installing the last of the cameras in town. This would be down at the wharf to provide security in that area and the amount of the quote is \$1,230.00 and would be paid from the DA Forfeiture account.

Mr. Difilippo asked if they still owe us some cameras. Dr. Martin stated we have paid for everything that they have done to this point. There was one camera that still needed to be installed and that is this one but we have been on a pay as you go basis with them. We had a plan for a number of cameras and this is the last one in that plan.

Motion by Mariscotti/Difilippo to approve the quote and pay Crystalline \$1,230.00 for the camera installation at the wharf duly carried on a roll call vote with all members present voting yes.

#### **Mr. Encapera entered the meeting at 6:45 pm**

#### **EZ PASS TRANSPONDERS**

Dr. Martin stated he is asking for council to authorize purchasing two more ez pass transponders right now we are two short for the number of vehicles that we have. He said it will be much easier to track who is using the ez pass uses and this would make it much more efficient. He stated he could look at the report and he would be able to know who was where at any given time. The cost is \$38.00 each.

Motion by Mariscotti/Bittner to authorize purchasing two more ez pass transponders duly carried on a roll call vote with all members present voting yes.

Mrs. Gutosky asked how it is billed since we don't have a credit card. Ms. Evans stated it is ACH withdrawn from the bank account.

#### **PROJECTS OUT FOR BID**

Dr. Martin stated as everyone is aware we have five projects out for bid through our engineer and he is in the process of opening this bids right now. He asked council to defer this item until he's ready to announce the bids.

#### **PUBLIC HOUSING – MR. GLAB**

Nothing to report at this time

#### **PUBLIC WORKS – MR MARISCOTTI**

#### **LONG TERM STREET PAVING PLAN**

Mr. Mariscotti stated in your packets you will see the plan that Jeff and Dr. Martin have come up with as our long term street paving plan.

Motion by Mariscotti/Encapera to approve paving the entire length of Fourth Street as our 2019 Paving project and to advertise it as such duly carried on a roll call vote with all members present voting yes.

#### **MCMILLEN ENGINEERING INVOICE #18-3149**

Mr. Mariscotti stated he'd like to table this again until after our meeting with Victor and McMillen.

Motion by Mariscotti/Difilippo to table this invoice until after our meeting with all parties involved duly carried on a roll call vote with all members present voting yes.

#### **PUBLIC SAFETY – MR. BITTNER**

#### **SIANA BELLWOAR & MCANDREW INVOICE #78193-\$412.31**

Motion by Bittner/Difilippo to pay Siana Bellwoar & McAndrew for professional services in the amount of \$412.31 duly carried on a roll call vote with all members present voting yes.

#### **CIVIL SERVICE COMMISSION MEMBERS RESIGNATION**

Mr. Bittner stated we have two resignations from the Civil Service Commission

Motion by Bittner/Mariscotti to accept the resignation of Sandy Willet from the Civil Service Commission duly carried on a roll call vote with all members present voting yes.

Motion by Bittner/Mariscotti to accept the resignation of Tram Folmar from the Civil Service Commission duly carried on a roll call vote with all members present voting yes.

#### **APPOINTMENT OF CIVIL SERVICE COMMISSION MEMBERS**

Motion by Bittner/Difilippo to appoint Rick Encapera to the Civil Service Commission to fulfill the term of Sandy Willet duly carried on a roll call vote with all members present voting yes.

Motion by Encapera/Glab to appoint Joe Grodz to a fill the term of Tram Folmar pending receiving a letter of interest duly carried on a roll call vote with all members present voting yes.

#### **FINANCE – MRS. GUTOSKY**

##### **PAYMENT OF THE MONTHLY BILLS**

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

##### **SOLICITOR’S BILL**

Motion by Gutosky/Difilippo to pay the Solicitor’s bill in the amount of \$2,106.00 of which \$742.50 is zoning and \$1,364.00 is administration duly carried on a roll call vote with all members present voting yes.

#### **PUBLIC HEALTH – MR. DIFILIPPO**

##### **WIDMER ENGINEERING INVOICES**

Motion by Difilippo/Glab to pay Widmer Invoice #21901029 in the amount of \$7,822.00 for inspection of the Highland Drive sewage project duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Mariscotti to pay Widmer Invoice #21901006 in the amount of \$200.00 for attendance at last month’s meeting duly carried on a roll call vote with all members present voting yes.

##### **A.FOLINO PAYMENT REQUEST #4**

Motion by Difilippo/Glab to pay A. Folino’s payment application #4 in the amount of \$125,700.59 duly carried on a roll call vote with all members present voting yes.

Mr. Alfano asked if the numbers are good. Mr. Eby stated yes the project is complete except for landscaping. Dr. Martin asked which project this is. Mr. Eby stated that is Union St., both blocks, Liberty St., and Highland Drive. Mr. Glab asked about the manholes on Fourth & Fifth St. Mr. Eby stated we are going to do that with blacktop. Mr. Glab asked if they replaced those manholes. Mr. Eby stated no we pulled off whatever we could not being able to get black top. Now when we are able to get blacktop we can pull them out and do the repair in one day.

##### **HUNTER’S EXCAVATING INVOICE**

Mr. Difilippo stated he has an invoice from Hunter’s Excavating & Electrical for a sewer line repair on the force main up along Malden Road.

Motion by Difilippo/Mariscotti to pay Hunter’s Excavating’s invoice for the sewer line repair on Malden in the amount of \$3,500.00 duly carried on a roll call vote with all members present voting yes.

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

##### **ACCUMULATED SICK DAYS – DAN FOWKES**

Mr. Mariscotti stated we have a request from Dan Fowkes who is retiring and is requesting he be paid his accumulated 85 sick days at \$35.00 per day.

Motion by Mariscotti/Encapera to pay Dan Fowkes for 85 accumulated sick days at \$35.00 per day for a total of \$2,975.00 duly carried on a roll call vote with all members present voting yes.

**HIRE STREET DEPARTMENT EMPLOYEE**

Motion by Mariscotti/Gutosky to hire Joseph E. Fike as a street department employee according to the collection bargaining unit duly carried on a roll call vote with all members present voting yes.

Mr. Mariscotti stated he has been interviewed, has his CDL license and has met all other requirements of the borough and come recommended by Mr. Taday and Dr. Martin.

**JUNIOR COUNCILMEMBER MR. KOTCHMAN**

Mr. Kotchman stated that both the boys and girls basketball teams are in the WPIAL’s. Participating students are in Washington County band and choir right now. He extended his congratulations to Chief Sheehan who he is used to seeing around the school.

**MAYOR’S REPORT – DR. FRANK STETAR**

Mayor Stetar thanked Chief Encapera for his service as Chief. He also congratulated our newest Chief, Chief Sheehan and he looks forward to working with him.

**DOG CAGE**

Mayor Stetar asked for a motion to purchase a dog cage for the repurposed dog car in the amount of \$2,899.10 from TRM.

Motion by Mariscotti/Bittner to purchase a dog cage from TRM in the amount of \$2899.10 duly carried on a roll call vote with all members present voting yes.

**ENGINEER’S REPORT – STEVE EBY**

**BID RESULTS**

Mr. Eby stated Project #1 is the sewer line extension for Rose Plastics, Project #2 is repairing the road where it is sinking and seal coating, Project #3 is tree trimming, Project #4 is clearing and brush hogging the two lots left, and Project #5 is leveling off the site where they were dumping all the dirt. All projects are in the Technology Park.

CONTRACTOR	PROJECT 1	PROJECT 2	PROJECT 3	PROJECT 4	PROJECT 5
A. Folino	62,000.00	-	-	-	111,100.00
Britton & Sons	82,621.00	-	-	-	67,800.00
DeFrank Dev.	54,223.00	-	-	16,490.00	177,370.00
Hunters Exc	58,729.81	31,590.86	-	8,930.02	49,839.94
John Subrick	<b>48,380.30</b>	-	-	20,447.60	77,886.00
Keystone Utility	-	-	-	<b>4,850.00</b>	<b>45,956.00</b>
Morgan Exc.	50,913.64	29,233.00	-	-	83,555.00
Nevaeh Pipe Bursting	68,264.00	<b>24,693.00</b>	-	11,640.00	51,870.00
Piccolomini Const.	61,115.00	37,245.00	-	46,560.00	69,790.00
Piedmont Services	110,704.00	-	-	-	-
Plavchak Const.	98,494.00	-	-	19,400.00	120,650.00
Stash Trucking	-	-	<b>17,300.00</b>	7,566.00	102,070.00
WG Land Co.	-	-	-	67,085.20	96,743.60

### **PROJECT #1 – SEWER LINE EXTENSION**

Motion by Bittner/Difilippo to award Project #1 to Subrick, Inc. in the amount of \$48,380.30 contingent on review by the Solicitor and engineer duly carried on a roll call vote with all members present voting yes.

### **PROJECT #2 – REPAIRING ROADWAY**

Motion by Mariscotti/Bittner to award Project #2 to Neveah Pipe Bursting in the amount of \$24,693.00 pending review of the solicitor and engineer duly carried on a roll call vote with all members present voting yes.

### **PROJECT #3 – TREE TRIMMING**

Motion by Bittner/Difilippo to award Project #3 to Stash Trucking in the amount of \$17,300.00 pending review of solicitor and engineer duly carried on a roll call vote with all members present voting yes.

### **PROJECT #4 – CLEARING AND BRUSH HOGGING OF TWO LOTS**

Motion by Difilippo/Bittner to award Project #4 to Keystone Utility in the amount of \$4,800.00 pending review of the solicitor and the engineer duly carried on a roll call vote with all members present voting yes.

### **PROJECT #5 – LEVELING OF ONE LOT**

Motion by Mariscotti/Gutosky to award Project #5 to Keystone Utility in the amount of \$45,956.00 pending review of the solicitor and engineer duly carried on a roll call vote with all members present voting yes.

Ms. Evans asked where all these project are being paid from. Mr. Eby stated Washington County. Mr. Eby stated the total for all five projects is \$141,179.00.

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

#### **SEVERANCE/SEPARATION AGREEMENT WITH RICK ENCAPERA**

Mr. Agrafiotis stated he has the final version of the separation agreement for Richard Encapera and the terms are total to be paid to him is \$73,000.00 in five equal yearly installments of \$14,600.00 for the years 2019, 2020, 2021, 2022, and 2023. He will receive a W2 each year for these payments. He is also entitled to cash in his sick days of which he has 492 hours at \$30.00 per day for a total of \$1,038.25 and should receive this check by March 31 2019. He is to send Dr. Martin an email that he is intending to be retired effective tomorrow. If he has to come in and consult or attend court his hourly wage is \$30.25 of which he will receive a 1099. He stated he all three originals signed by Richard Encapera.

Motion by Bittner/Difilippo to sign the severance separation agreement/general release duly carried on a roll call vote with all members present voting yes except Mr. Encapera who abstained.

#### **ZONING ORDINANCE**

Mr. Agrafiotis stated we had our third public hearing on the zoning ordinance last week and council does not have to but has the right to advertise for adoption the zoning ordinance at the March meeting.

Motion by Difilippo/Gutosky to advertise the Zoning Ordinance, from the Dec. 2018 draft edition, for adoption at the March meeting duly carried on a roll call vote with all members present voting yes.

#### **RENTAL ORDINANCE**

Mr. Agrafiotis stated he is working on the rental ordinance and it will be updated and combine three separate ones and that is ready to be reviewed by council and advertise that for the next meeting as well. Mr. Glab stated if we have changes should we still advertise it. Mr. Agrafiotis stated you'll have the draft in plenty of time to make some changes and still be advertised and adopted at the monthly meeting in March.

Motion by Difilippo/Glab to authorize the Rental ordinance for adoption at March's regular meeting duly carried on a roll call vote with all members present voting yes.

Mr. Agrafiotis stated at the work session we had discussed a parking ordinance amendment and asked if council is ready to proceed on that or if they need more time. Mr. Glab stated we've not had the opportunity to sit down and discuss it yet.

#### **OLD BUSINESS**

No old business at this time

#### **NEW BUSINESS**

Mayor Stetar stated the California High School Dram Club is doing a production called James and the Giant Peach on March 8, 9, and 10<sup>th</sup>.

#### **RECOGNITION OF CITIZENS**

##### **ROBERT MCCOY**

Mr. McCoy began to read a letter from Liberty Tower residents concerning the Mid Mon Valley Transit Authority bus stop near their location. Councilman Encapera stopped Mr. McCoy and told him he is addressing the wrong board and that California council does not make the decisions of the Mon valley transit authority bus stops and he needs to address the board of the Mon Valley Transit Authority.

##### **JIM MADDIEX**

Mr. Maddiex asked if the planning commission members have an age limit and he went to Ordinance 522, Section 2 and it basically says the only requirement to be on the planning commission is to be a resident of California. He stated there is no age limit or background or anything so he would like to widen the net and maybe a student from the school district could serve. Mr. Mariscotti stated he believes the planning commission has been put on hiatus for a while. Mr. Maddiex stated yes just till you get members like maybe a University student would be interested in serving. Mr. Alfano stated they have no interest in what is happening here. Mr. Mariscotti stated this ship has sailed and said the planning commission is on hiatus the notices are on the website if anyone is interested it will come before council and you don't have to come every meeting and repeatedly bringing it up.

#### **ADJOURNMENT**

Motion by Difilippo/Bittner to adjourn carried with all members present stating aye.