

Regular Meeting of California Borough Council, February 9, 2017

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

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

ABSENCE Mayor Weld

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ADDITIONS OR CHANGES TO AGENDA

Mrs. Gutosky added Solicitor's bill

Mr. Agrafiotis added Res. 17-0001 Deferred Comp. plan

Mr. Alfano added report on work session

SPEAKER – CAILLYN MICHAELS – TROUT DERBY

Ms. Michaels introduced herself and is speaking tonight about the 2017 Annual Pike Run fishing festival. She stated it is a program put on by the Parks and Recs society of California University and the Recreational programming class. She stated the society purchases fish to stock the stream and children 15 and under will be able to catch and either keep or release their fish. She stated that since council has been developing that area they will plan more activities and they would like to get a rock wall for the kids to climb on along with other fun activities for the kids. Mr. Encapera what date will this take place. Ms. Michaels stated it will be April 22nd from 7:00 to 3:00 pm. Mr. Alfano asked if they need a dumpster provided as well. Ms. Michaels stated yes we will do the cleanup the Thursday prior to the Saturday of the fishing festival. Mr. Alfano asked Mr. Tудay to take care of getting the dumpster.

PUBLIC COMMENT

No public comment

MINUTES - Regular meeting of January 12, 2017

Motion by Difilippo/Encapera to approve the January 12, 2017 minutes 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, 2017

Motion by Mariscotti/Gutosky to approve the secretary/treasurer's report carried with all members present stating aye.

PRESIDENT'S REPORT – MR. ALFANO

TRI COUNTY BOROUGH MEETING

Mr. Alfano stated there will be a Tri County Borough meeting on Feb. 16th at W. Brownsville Fire Dept. at 7:00 pm.

WORK SESSION

Mr. Alfano stated we had a work session prior to this meeting because it was brought to our attention that we've been remiss on filing an MS4 plan with the DEP. The crux of this thing is it is for any stream that runs to the river. We need to instruct our Engineer to start on this MS4 plan specifically for Lily Run stream which is DEP's major concern right now. There is a \$500.00 application fee connected to this plus we're not sure what the engineering fees will be. So he thinks it is appropriate at this time to entertain a motion to instruct our engineers to start this MS4 plan for us.

Motion by Bittner/Mariscotti to instruct Widmer Engineering to start the MS4 plan duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated we are under the gun because this plan has to be filed by Sept. 17th of this year.

BOROUGH ADMINISTRATOR'S REPORT – DR. MARTIN

Mr. Alfano stated in Dr. Martin's absence he will cover his report which includes hotdog stand application, sample cat ordinance and information updates.

INFORMATION UPDATES

Mr. Alfano stated Dr. Martin has spoken to Bob Griffin of the Redevelopment Authority and their entertaining the idea of making some money available for lighting at Technology Drive. There will be more information to follow concerning that.

Mr. Alfano stated we have met with Chris Whitlach with the Mon Valley Alliance to initiate an economic plan for California to be included with the rest of the Mon Valley.

CAT ORDINANCE

Mr. Agrafiotis stated Dr. Martin provided him two samples of cat ordinances and we can come up with an ordinance from those. Mr. Alfano asked council to provide Mr. Agrafiotis any suggestions they may have on this so we can continue to get it done. Mr. Agrafiotis asked if council wants him to be ready to advertise next meeting or just have him draw up a draft ordinance for next meeting. Mr. Alfano stated just have a draft ordinance prepared for council to initiate any changes to then we'll advertise following that.

APPLICATION FOR A HOTDOG STAND

Mr. Alfano asked for any input on the Hotdog stand application. Mr. Alfano stated one of council's questions is do they have a designated site that they will use for this or a couple of sites. Mr. Woods stated that was discussed at the last meeting that we would like the area across from the Kwik Fill because that is where I was at for homecoming last year. Mr. Alfano asked council what is their pleasure on this. Mr. Agrafiotis asked Mr. Woods if that is the only site he is considering right now. Mr. Woods stated that is the only place that he knows of. Mr. Agrafiotis stated that is the borough's property so if you go there we would have to be named as additional insured on your policy. Mr. Mariscotti stated this isn't something that needs councilmatic action on is that correct. Mr. Bittner stated the ordinance states the Chief of Police is who grants or denies the permit. He thinks that is why we drew up the ordinance in the first place so that they don't come to us and are handled administratively. Mr. Difilippo asked if we have anything formulated as a policy for that property. Mr. Alfano stated nothing formally. Mr. Difilippo stated once you start letting him use it then everyone is going to want to use it for something so if we are going to use borough property for something like this then he thinks we need to come up with a plan and or a policy before we do this. Mr. Mariscotti stated whatever we set for Ed to do then everything else will have to do the same. Mr. Alfano asked Mr. Woods is he intends to be there on weekends for the most part or is it 7 days a week or what. Mr. Woods stated it would probably be the weekends until he is out of school because he teaches. So it would be weekends until June and then maybe one or two days a week in California because he is also in Fredericktown. Mr. Alfano stated maybe it is best if we table this discussion until the next meeting to come up with a policy and guidelines. Mr. Mariscotti stated we don't need to deny or approve your permit because the Chief does that but we need to discuss the issue of using borough property. Mr. Agrafiotis asked who told you last year you could use that property. Mr. Woods stated Dr. Martin. Mr. Agrafiotis stated you didn't come to a council meeting for approval then. Mr. Wood stated no we did not. Mr. Mariscotti stated once you get a permit you can go anywhere in town so if someone has a parking lot you can set up there or anywhere but the only issue council has is if you use borough property. Mrs. Woods stated so we can use any place in town we want as long as we have approval from the person who owns that property then we are good as long as we have our permit. Mr. Alfano stated that is correct. Mrs. Woods stated you don't know if you want to give us our permit or not. Mr. Mariscotti stated council does not issue the permits the Chief of Police issues the permits we don't have any problem with you getting a permit. Mr. Agrafiotis stated the misunderstanding was when you intended on using borough property. Chief Encapera stated the reason why he gave it to council to decide because this is an unconditional circumstance. Normally the requests are for special events such as homecoming parades, river fest short term events such as those. There is no special event here and his application states he will be here from March through August. Mr. Agrafiotis asked Mr. Bittner when he read the ordinance does it say anytime for special events or what. Mr. Alfano stated it talks about door to door peddlers mostly. Mr. Bittner handed Mr. Agrafiotis the ordinance pertaining to this and asked him to review it and make a determination later on in the meeting.

PUBLIC HOUSING – MR. GLAB

DENTINO SUBDIVISION

Mr. Glab stated after we left last Thursday you were going to have the map prepared to reflect the changes we discussed. Mr. Dentino stated yes I gave it to Mr. Hill to complete and it's not back yet. Mr. Dentino stated we agreed on that one spot on the map and that is what I gave him to do. I don't know if he has to do it and take it back to the county for approval first before it comes back here or not. Mr. Petro stated no. Mr. Agrafiotis stated there are a couple of other conditions that he believes the engineer had in his letter and asked Mr. Petro if Mr. Dentino had all them done. Mr. Petro stated not that he knows of. Mr. Dentino asked what they were. Mr. Agrafiotis asked Mr. Dentino if Mr. Petro went over them with him. Mr. Agrafiotis stated he can give him a copy of the letter. Mr. Dentino asked who it is addressed to and from. Mr. Agrafiotis responded it is to him from the engineer. Mr. Dentino asked if he should have been notified if had to do something else. Mr. Agrafiotis stated Mr. Petro said he had told you about these. Mr. Agrafiotis read the letter and the following changes need made. Plans were found to be generally in technical conformity and as a result of our review we offer the following; parcel 1 and 2 has 1.3 acres and the application states 1.24 acres. Mr. Agrafiotis stated that is just a minor issue. He continued reading, Hillcrest Drive does not have a right of way that's the easement line needs to be altered to get the minimum road frontage for the property this will mean the building set back line will also need to be changed and that is the one we resolved last week which was the major issue; the existing deed line that is to remove is to be shown as adjoined to parcel 2. Those were the four conditions set forth by the engineer. Mr. Dentino stated it says on the map that is to be removed. Mr. Agrafiotis asked Mr. Petro if conditions 1 and 2 were taken care of. Mr. Petro stated he believes the application was amended. Mr. Agrafiotis stated okay so the only remaining issue is number 3 which we resolved last week is that correct. Mr. Petro stated that and combine the two parcels with a Z line. Mr. Dentino stated he brought a map they could actually see and we put the line on it. Mr. Dentino asked how he could have a 50' entrance to his property when the road is only 40'. Mr. Dentino and Mr. Agrafiotis reviewed the map and the conditions. Mr. Agrafiotis called Mr. Petro to the table and Mr. Glab asked council President to please move on. President Alfano tapped the gavel. Mr. Glab stated we are going to conditionally approve this upon Mr. Dentino providing satisfactory to Tom and John the necessary things that required and then we will move on from there. Mr. Dentino stated he wants to know what the things are going to be required. Every time I come here there is a new and different requirement. He stated he got a call this afternoon that Petro gave Mike forms that I now have to fill out with DEP and fees. Mr. Alfano stated a sewage module. Mr. Dentino stated no it has to do with wetlands and wildlife. He stated I went and filled out the application and paid another fee and he took it to the DEP and asked them about it. They told him that this has been a law for 15 years and that every subdivision that occurs has to have this form filled out and pay the fee. He asked what if the borough doesn't do that because they've not been done before. He stated that it is a \$10,000.00 fine for the borough and the borough would be shut down. They said the borough would be prohibited from issuing sewage, building, zoning permits until you came into compliance. He stated he just learned of this today and every time he comes to the borough there is something else he has to do. He held up a booklet on subdivisions and there is nothing in here that talks about this dep requirement. He stated here is his certificate and letter of transmittal from the State. Mr. Agrafiotis stated he thinks council is ready to conditionally approve it. Mr. Dentino stated every time he turns around there is another issue and he never gets told about it until the day before or the day of the hearing and he has a problem with that. This is the form that Mr. Petro gave to Mike to give to me and if I hadn't have gotten that and completed it would be yet another thing that I didn't do and you are in violation of the state and Mr. Petro is not enforcing it because he's not making people do this, other than me. He made me do it though but nobody else has done it and I have a problem with that and should ask him for his resignation because he has a thing against me and he gives me a problem every time I go in there he says something wrong about it ask the other people in the office because it is well known his opinion or issues he has with me and that's fine but don't take it out on my son. Mr. Glab stated we are not here to discuss personal issues. Mr. Dentino stated well he is. Mr. Glab stated well you're in the wrong place; this isn't the place to be discussing this. Mr. Dentino stated well it came it up in this place because he's causing the issues that I'm having. Mr. Glab stated we are passing this conditionally upon the approval and conditions of Mr. Agrafiotis and Mr. Petro. Mr. Dentino stated he would like to know what those conditions are. Mr. Agrafiotis stated the one we just discussed right there. Mr. Dentino stated that is it. Mr. Agrafiotis stated yes. Mr. Dentino stated not a problem it will be done.

Motion by Glab/ Bittner conditionally approve the Vincent C. Dentino subdivision conditionally upon the approval of the map coming back to the satisfaction of Mr. Agrafiotis duly carried on a roll call vote with all members present voting yes.

Mr. Agrafiotis stated Mr. Petro wants to do this under new business and he worked this out with Mr. Agrafiotis today that he would like to reinstate Vincent Dentino's zoning permit without the recorded subdivision map. Mr. Agrafiotis stated just to show that Mr. Petro doesn't have a grudge against you he worked with me on this today. Mr. Dentino stated he appreciates that but feels his son is entitled to it.

PENNSYLVANIA AMERICAN WATER ANNOUNCEMENT

Mr. Glab stated Pennsylvania American Water is going to be treating and doing some disinfecting at the Brownsville water facility which may cause some residents of California Borough to notice some changes in color, smell, and taste of the water and this will take place approximately Feb. 22nd through Apr. 5th of this year. You can go to the PAWC website and read about it in its entirety

ADVERTISE PUBLIC HEARING FOR ZONING ORDINANCE

Mr. Glab stated we need to authorize the Solicitor to advertise a public hearing for the zoning ordinance. Mr. Agrafiotis stated the discussion he believes is a public meeting not a public hearing but are we advertising it or scheduling it. Mr. Petro stated we need to schedule a date for a public meeting and advertise it twice before the public meeting. Mr. Agrafiotis stated is that the public hearing and the public meeting? Mr. Petro stated it is just a public meeting but it has to be advertised twice prior to the meeting. Mr. Petro stated he'd like it to be March 9th at 5:30 pm before the regular council meeting. Mr. Glab asked Shirley to take care of that publication. She stated yes he can write it up and I will get it advertised.

Motion by Glab/Difilippo to advertise the public meeting for the zoning ordinance on March 9, 2017 at 5:30 pm duly carried on a roll call vote with all members present voting yes.

PUBLIC WORKS – MR. MARISCOTTI

ENROLL IN 2017-2018 CO STARS SALT CONTRACT

Motion by Mariscotti/Difilippo to enroll in the 2017-2018 Co Stars Salt contract which runs from August 17th to July 18th carried with all members present stating aye.

PUBLIC SAFETY – MR. BITTNER

REFUND OF RESERVED PARKING PASS

Mr. Bittner stated a graduate student applied and paid for a parking pass on Hickory Street in the amount of \$120.00 and a family emergency prevented them from attending school this year.

Motion by Bittner/Encapera to refund \$120.00 that this person paid for her reserved parking pass duly carried on a roll call vote with all members present voting yes.

CRYSTALLINE TECHNOLOGIES

Mr. Bittner stated for our security cameras in town crystal technologies proposed a maintenance agreement in the amount of \$1, 033.50 and that is based on the number of cameras we have now and as we have cameras added they will prorate and add them into this contract. Mrs. Gutosky asked what the maintenance agreement covers and the reason she is asking is that she has cameras at her business and there is no maintenance on the cameras unless something breaks and if it breaks you fix it so what are they maintaining. Mr. Bittner stated 24 hours call out, it includes routine scheduled repairs and replacement of parts as needed and emergency repairs whenever equipment breaks down unexpectedly. He stated Jeff Tудay had some instances where that happened and it was pretty expensive to get them fixed. Mrs. Gutosky stated so it includes parts. Mr. Bittner stated it says it includes routine scheduled repairs and replacement of parts as needed and emergency repairs whenever equipment breaks down unexpectedly. Mrs. Gutosky stated so they will replace the parts that is good.

Motion by Bittner/Glab to have a maintenance agreement with Crystal Technologies in the amount of \$1,033.50 duly carried on a roll call vote with all members present voting yes.

INTERSECTION LIGHTS

Mr. Bittner stated Mr. Taday is getting quotes on getting LED's for them.

PSAB ANNUAL CONFERENCE EXPENSES

Mr. Bittner stated the PSAB annual conference is coming up this spring and he makes the following motion;

Motion by Bittner/Glab that the Borough pay the admissions fee and housing fee for any person on council or the administrative staff that would like to attend duly carried on a roll call vote with all members present voting yes.

Mr. Mariscotti asked about the admission fee. Mr. Bittner stated that is the registration cost of the conference and the hotel cost and this is an approved expenditure under the Borough Code. Mr. Agrafiotis asked if mileage is included. Mr. Bittner stated no. He usually goes and he pays his own mileage. Mr. Encapera asked what the date of that was. Mr. Bittner stated it is in your latest borough news magazine.

HANDICAP PARKING STALL

Mr. Bittner stated we have received an application for handicap stall for Joanne Spitek at 695 High Street and it has been reviewed by Chief Encapera and our Street Commission Mr. Taday and they see no problem with it.

Motion by Bittner/Difilippo to approve a handicap parking space in front of Joanne Spitek's house at 695 High Street 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 duly carried on a roll call vote with all members present voting yes.

SOLICITOR'S BILL

Motion by Gutosky/Mariscotti to pay the Solicitor's bill in the amount of \$2,825.20 broken down as Administration - \$1,450.20, Zoning - \$1,265.00 and Sewage - \$110.00 duly carried on a roll call vote with all members present voting yes.

PUBLIC HEALTH – MR. DIFILIPPO

Mr. Difilippo stated he has a PALCO quote for an annual maintenance call on the generator at the sewer plant at a cost of \$1,348.43 duly carried on a roll call vote with all members present voting yes.

WIDMER ENGINEERING INVOICE –# 21701043 - \$517.50

Mr. Difilippo stated he has a Widmer Engineering invoice for Malden pump station and security cameras totally \$517.50.

Motion by Difilippo/Mariscotti to pay Widmer Engineering invoice #21701043 in the amount of \$517.50 duly carried on a roll call vote with all members present voting yes.

CLEVELAND BROTHERS – 2016 CAT EXCAVATOR

Mr. Difilippo stated the quote for the CAT excavator was in everyone's packets.

Motion by Difilippo/Mariscotti to purchase a CAT Excavator from Cleveland Brothers at a cost of \$48,921.00 to be paid from the sewer fund duly carried on a roll call vote with all members present voting yes.

APPALACHIAN TRAILERS

Mr. Difilippo stated now we need a trailer to pull that. He received some quotes from a local person but the quote that Doug got was for a tilt skid steer trailer, 15,000 lbs. was the best.

Motion by Difilippo/Mariscotti to purchase 20' trailer from Appalachian Trailers in an amount not to exceed \$4,700.00 duly carried on a roll call vote with all members present voting yes.

PERSONNEL – MR. ENCAPERA AND MR. MARISCOTTI

LETTER OF REINSTATEMENT

Mr. Mariscotti stated he doesn't know why this is coming before council but Jim Mitchell contacted him stating he needs a letter for unemployment stating that his reinstatement date is April 1st. Ms. Evans stated she will do a formal letter.

MAYOR'S REPORT –MR. WELD

Nothing to report

ENGINEER'S REPORT – MR. EBY

Mr. Eby stated he came down and met with Doug and Ron and he brought a salesman to look around and see if they could get a flow meter installed on that pump station to see what the capacity of that pump is since we don't have as built for that pump. He stated we need to know what those pumps will pump in the event of new construction in the Industrial park we'll need to know what that pump is capable of. The flowmeter uses the electric from the pumps themselves so can be moved anywhere to monitor flows. The cost is \$5,762.00.

Motion by Gutosky/Difilippo to purchase a flow meter at a cost of \$5,762.00 duly carried on a roll call vote with all members present voting yes.

ARCHAEOLOGICAL STUDY- HIGHLAND DRIVE

Mr. Eby stated we submitted for LSA funds for this project and started the 537 Plan for this project and the DEP wants to know if we are going to follow through with that. He asked if council wants to finish that environmental so we're ready if we file for LSA money next year so we don't have to start all over. He stated the next thing is an archaeological study and he received two quotes for that at \$6,591.00 and the second was \$7,127.00.

Motion by Difilippo/Bittner to approve an archaeological study in the amount of \$6,591.00 for the 537 plan on the Highland Drive project duly carried on a roll call vote with all members present voting yes.

Mr. Eby stated after this passes does council want to do a design and right away plan also. Mr. Alfano stated we need to have a shovel ready project to go for funding next year. Mr. Eby stated he will bring a proposal for the engineering and design of this project at next month's meeting.

SOLICITOR'S REPORT – MR. AGRAFIOTIS

Mr. Agrafiotis stated Doc had Shirley email him a sample of Nationwide's resolution for deferred compensation plan that was discussed last month. He read it briefly.

Motion by Bittner/Mariscotti to approve the Nationwide Deferred Compensation plan resolution #17-0001 duly carried on a roll call vote with all members present voting yes.

OLD BUSINESS

Mr. Difilippo asked Mr. Tудay if the lights at the Jefferson cross walks are working on both sides coming and going. Mr. Alfano stated if they don't know to push the button they just cross. He asked if there is any way we can adjust the timers.

NEW BUSINESS

EASTERN AMERICAN DIOCESE ROCOR SUBDIVISION

Mr. Agrafiotis stated was reviewed by Mr. Petro, Mr. Eby and myself. Mr. Petro is asking that subdivision gets approved conditioned that the owners adoption on the plat should reflect the corporation ownership and acknowledgement of a notary public should be changed to reflect the corporation and the street below tract A-2 should be identified on the plat and named accordingly as Olga alley with a 20' right of way and also the sewage facility planning module should be approved by the DEP. He stated we also needs who has the authority to sign this subdivision. Mr. Petro stated he spoke with the representative from Century 21 who will provide him with a name of who will be responsible for this subdivision and we will mail them a certified letter listing those conditions and once that is done the they will be resubmit and signed here and sent back to the Diocese for recording. Mr. Eby stated he had a question about the dividing line for tract one

and asked if that was resolved. Mr. Eby stated no it is fine the way it is. Mr. Agrafiotis stated with these conditions he recommends approval of this subdivision.

Motion by Glab/Mariscotti to approve the Eastern American Diocese ROCOR subdivision conditioned upon Widmer's letter and Mr. Agrafiotis's recommendations being completed duly carried on a roll call vote with all members present voting yes.

APPLICATION FOR HOTDOG CART

Mr. Agrafiotis stated the ordinance does talk about a \$200.00 fee for one month or more but less than 6 months and Mr. Agrafiotis thinks he should get his permit but as far as operating on Borough property he thinks we need to look at that a little closer but he thinks the permit should be approved for the 5 months that he has paid for. Mr. Agrafiotis stated if Mr. Woods can't find another place to put the hotdog cart and wants to talk to council about the borough's property then he can come back at a later date and request that permission. Mrs. Woods stated they have two offers for other properties that they have to get back to.

DENTINO ZONING PERMIT

Mr. Agrafiotis stated Mr. Petro passed him a piece of paper stating he would like a motion stating that zoning permit Z-2017-02 for Vincent Dentino at 77 Hillcrest Drive be re-instated .

Motion by Glab/Mariscotti to reinstated Zoning permit Z-2017-02 which was issued Jan. 16th and revoked on Jan. 17th due to the subdivision not being approved with the condition that the subdivision is returned with the conditions and filed within 30 days duly carried on a roll call vote with all members present voting yes.

Mr. Dentino stated he believes the law is 90 days for recording of a subdivision. Mr. Agrafiotis stated normally we don't do the zoning permit without the subdivision so we're giving 30 days for the recording or we can revoke the Zoning Certificate. Now if you come back to us and say it is in progress we would extend that 30 days.

MON RIVER VALLEY COALITION

Mr. Alfano stated he received a request through the recreation authority from Kathy McCollum form the Mon River Valley Coalition and she would like to address council at March's meeting.

Mr. Bittner stated we need to have representation at these River Coalition meeting and a couple of other meetings so we can get some recognition and not be left out in the dark. So someone from this town has to be active in these meetings or we are going to be bypassed.

RECOGNITION OF CITIZENS

JOE GRODZ

Mr. Grodz introduced himself and stated he lives on Fifth Street and he's going to read from a statement that was written prior to the meeting to go with the petition that was signed by 14 members near him and below AKL Fraternity. Mr. Grodz read a statement from the residents in the area of Fifth and Green Street. They are concerned with the activities of the AKL house. There are loud parties, late night interruptions of sleep, fighting, public urination, other malicious acts, and now gun fire. They are requesting that the Borough cite the AKL house as a disorderly house and close it down before something worse happens. Mr. Grodz gave his letter and petition to President Alfano once he completed speaking. Chief Encapera stated he can't comment on the investigation because it is ongoing but he can tell them that he has been in contact with the University and they are looking at certain sanctions against the AKL Fraternity.

BETH BAXTER

Mrs. Baxter stated she is one of the people who signed the petition. She stated the police have been wonderful and in no way shape or form does this reflect on the police. They do respond but it happens so fast and is gone so quickly. They come down from there in droves. Maybe 50 come through then later another 70 come through but they scatter quickly and it is not simply a university issue because a lot of the people that are there are not University students. They are transients who come here looking for a college party. Mr. Grodz agreed and stated it is becoming a nuisance because it is drawing anyone that wants to party to an animal house party atmosphere. How are they getting 200-300 people in that house for party. Mrs. Baxter stated she doesn't want it passed off on the University to handle because it is a borough problem, it happened in the

borough and yes the University plays a part but it is the borough. The University is going to say it's not on our property and those aren't our students and they are right. It is a borough issue that needs to be resolved for everyone's safety. She thanked council for listening. Mr. Bittner stated he begs to differ with her on that it isn't a University problem. He stated there is a code of conduct at that University that those young ladies and gentlemen are supposed to adhere to. Every Monday morning at an event they are notified through their officer up there that takes care of those problems. He knows it is a borough problem but they are under a code of conduct up there that they are supposed to act in this community the exact way they are expected to act on campus. Mr. Grodz stated but it is not just students attending the parties so it becomes more of a borough problem. Mr. Bittner stated he experiences this in his neighborhood too and he feels their pain and he knows they are all not University students. Mr. Grodz stated he loves the University and he loves what it brings to the town except for these situations. Officer Sheehan stated it is not just this town but all University towns are having the same problems. Mr. Mariscotti stated he thinks we as the borough need to step up and put more patrols at that area. Chief Encapera stated we also have to worry about the constitutionality of what we do. Mr. Bittner asked Mr. Petro if there is an occupancy limit at that house. Mr. Petro stated we'll check the file and see if there was one. Mr. Bittner stated there should be because we set them for bars, restaurants and others. Mr. Bittner stated we could address it through the zoning department also as the number of people limited there at one time. Mr. Alfano stated there is a difference between college parties and gun fights and he thinks we need to send a message that they've crossed the line and we're not going to put up with it in this town one way or another. Mr. Encapera stated it is obvious that the University picks and chooses when to punish they wait until something happens and here we are.

MS. VERES & MR. KURK

Ms. Veres stated it came to their attention that council did not discuss the ordinance regarding feral cats and she is unclear as to what all is going into it but this is happening the same time that they are trying to form a charity that is going to help alleviate some of the problems that feral cats are posing. She stated she would like to point out a distinction between feral cats and stray cats in that feral cats are the ones that show aggression and fear towards human and stray cats are the ones that are being fed by people. Feral cats do not allow human contact and they do not socialize with humans where stray cats are compatible with humans and can be housed and hopefully adopted. The people that you speak about feeding these cats are actually feeding stray cats and to stop feeding strays you stop feeding something that is humane and to stop feeding something that is human is inhumane. She stated their charity is to help the people who are feeding these cats feed the cats and because they are feeding these cats out of their pockets we want to start a food bank type of charity to provide food to feed the cats but they also want to provide spaying and neutering because they understand population control of these animals. They are currently feeding two populations out of their pockets and they do not have the funds to spay and neuter these cats. We want this problem fixed but this problem is not from people feeding the cats it's coming from college students and we hope the third arm of our charity is education and teach these students responsibility of pet ownership and hopefully start an adoption person. Not feeding them is not going to fix the problem because students will be bringing more in. Ms. Veres stated we want the feral cats taken care of also because it is not just them spraying it is also disease and it needs address. If we take care of the strays and feed them, spay and neuter them and put them out for adoption then the feral cats will die off and it sounds horrible to say it like that but it will take care of itself. She stated it is not just cats either they abandon dogs also. Mr. Kurk stated at the end of the day it is everyone's problem and we want to help resolve it and work with council and we are college students that are trying to do something to fix this problem. Mr. Dentino stated in a couple years you'll be gone and the cats will be back. Ms. Veres stated that is why we want to start the charity to alleviate the problems and she fully intends on keeping a hand in it to ensure it is operating correctly.

JAMES MADDIEX

Mr. Maddiex asked if there is any update on the wharf project and if memory serves him right there is a two year window on the grant. Mr. Alfano stated if the project can't be completed by the end of this year we'll have to get an extension or give it back. Mr. Alfano stated we bid it out as the borough as a general contractor and no one was interested in bidding it so we're working with a couple of other municipalities that may have some projects to combine and have a more attractive bid package. Mr. Maddiex stated the regular meeting of the Planning commission is the 28th at 6:30 pm. He urged council and citizens to attend the public meeting for the zoning ordinance and learn what is going on.

ADJOURNMENT

Motion by Bittner/Mariscotti to adjourn the meeting at 8:15 carried with all members present stating aye.