

**REGULAR MEETING OF CALIFORNIA BOROUGH COUNCIL, JULY 9, 2015,  
6:30 PM**

Due to renovation of Council Chambers the Council Meeting was held at the California Fire Department.

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

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

**ABSENCE:** Mr. Glab and Mayor Weld

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was followed by a moment of silence.

**ADDITIONS OR CHANGES TO AGENDA**

Mr. Bittner added Executive Session for police personnel.

**PUBLIC COMMENT ON AGENDA ITEMS**

There were not public comments on agenda items.

**AUDITOR'S PRESENTATION CYPHER & CYPHER**

Mr. Steven Cypher presented the auditor's report for the year ending December 31, 2015.

**MINUTES**

Motion by Mr. Difilippo and seconded by Mrs. Gutosky to approve the minutes of the continued meeting of June 4, 2015 duly carried with all members present stating aye.

Motion by Mr. Difilippo and seconded by Mrs. Gutosky to approve the minutes of the regular meeting of June 11, 2015 duly carried with all members present stating aye.

**SECRETARY/TREASURER REPORT – MRS. CLANCY**

Mrs. Clancy read the accounts payable and account balances as of June 30, 2015.

Motion by Mr. Difilippo and seconded by Mr. Bittner to approve the Secretary/Treasurer report duly carried with all members present stating aye.

Mr. Bittner asked if it had not been said to put all escrow accounts into one account because Mr. Cypher's report stated it had not been done. Mr. Alfano stated that Mr. Bittner is correct.

**PRESIDENT'S REPORT – MR. ALFANO**

**TROSCH & CO. LLC, CERT. PUBLIC ACCOUNTANTS – ENGAGEMENT LETTER**

Mr. Alfano stated the Borough had consulted with a few professional accounting firms that do research with retirement accounts. He was in receipt of a letter from Trosch & Co. LLC, Certified Public Accountants. The Borough has a situation with a former employee that was let go and there are questions about how distribution of a 457 Plan should have been handled.

Trosch & Co. submitted a proposal to look into the situation with this 457 Plan. They will review the Borough's 457 (b) retirement plan document, review the administration of the plan with the third party administrator and review the payout calculation and determine if the payout to the terminated employee was reasonable. Mr. Sulkosky reviewed their letter and came up with a few suggestions that Mr. Alfano contacted Trosch & Co. to clarify. He wanted it clarified that all the documents in the process would become the property of the Borough. They stated the documents are their property but the borough would have copies of them. There is a 30 day deadline to complete the review. If expert testimony should be necessary, it is not included in this fee. This has been dragging on for 5 years. Mrs. Gutosy made the motion and Mr. Mariscotti second the motion to employee Trosch & Co. under professional services not to exceed \$2,500.00. On a roll call vote motion carried with all employees present voting yes.

**EP&D INVOICE – APRIL 1 THROUGH APRIL 30<sup>TH</sup> - \$2,702.48**

Mr. Alfano had an EP&D invoice for April 1st through April 30 that he did not get to the secretary in a timely fashion. Mr. Difilippo made the motion to pay the EP&D invoice April 1 through April 30, 2015 in the amount of \$2,702.48 to be taken from the Grant Proceeds for the Wharf Project. Mr. Bittner seconded the motion. Motion carried with all members present voting yes.

**WIDMER ENGINEERING INVOICE #2150547 - \$180.00 – PROJECT 15553**

Mr. Alfano called for a motion to pay the Widmer Engineering Invoice #2150547 in the amount of \$180.00 for project 15553. Motion by Mr. Bittner and seconded by Mr. Difilippo to pay Widmer Engineering Invoice #2150547 in the amount of \$180.00 for project 15553. On a roll call vote motion carried with all members present voting yes.

**TRANSFER FROM BOND PROCEEDS TO GENERAL FUND TO PAY TBI PAYMENT APP. #4 - \$308,143.80**

Mr. Alfano called for a motion to transfer bond proceeds to the general fund to pay TBI, the contractors doing the addition to the borough building, Application No. 4 in the amount of \$308,143.80. Motion by Mr. Bittner and seconded by Mr. Difilippo. On a roll call vote motion carried with all members present voting yes.

Mr. Alfano would report on the meeting at Rotary Park under New Business.

Mr. Bittner stated there are rumors going around California and he would like to put an end to them. He wants the public to understand that the addition to the Borough is not going to cause a raise in taxes. A bond issue was refinanced, the money from the bond issue is being used for the addition and the addition is needed. That bond money could only be used according to the bond council, for capital improvements. Highways are not considered a capital improvement. Mr. Alfano added the police department needed more room.

**PUBLIC HOUSING – MR. GLAB**

**WIDMER ENGINEERING INVOICE #21505147**

Widmer Engineering invoice #21505171 in the amount of \$90.00 is for a subdivision plan for Penntronics. Motion by Mr. Difilippo and seconded by Mr. Mariscotti to pay Widmer Engineering invoice #21505171 in the amount of \$90. Under discussion Mr. Leer from Widmer stated that invoice is

in accordance with the MPC to pass that cost on to the developer. On a roll call vote motion carried with all members voting yes.

Mr. Alfano stated Mr. Garlowich is working on the rental inspections and keeping busy. The inspections are about one fourth completed.

#### **PUBLIC WORKS – MR. MARISCOTTI**

Mr. Mariscotti had nothing to report this week.

#### **PUBLIC SAFETY – MR. BITTNER**

##### **OFFICER KURILKO – BIKE TRAINING AT CAL U \$390.00**

Mr. Bitter reported that Officer Kurilko expressed an interest in attending a bike training at Cal U, cost is \$390.00 with no room and board. This training starts tomorrow. Motion by Mr. Bittner and seconded by Mr. Mariscotti for Officer Kurilko to attend bike training at Cal U and his shift will be adjusted so he can attend. On a roll call vote motion carried with all members present voting yes.

Officer Sheehan was in charge this week and told Mr. Bittner that the bike needed a tune up before training. Mr. Bittner told him to have Officer Kurilko take the bike to the bike shop in Connellsville for have a tune up so it would be ready for training.

#### **MEETING ITEMS TO ACCOMPLISH**

Mr. Bittner and Mr. Alfano were discussing that motions are made and the things aren't discovered until the minutes are printed for the next meeting, so there is a time lapse. Mr. Bittner would like the policy made this evening and hopes he doesn't need a motion to do this. On Friday mornings, the Borough Manager to take every action item from the minutes from the night before, have them written down with the person's name that is responsible for that action and email them to Council and supervisors by the end of Friday. Then have a weekly report by email every Friday to everyone as to whether these items have been accomplished or whatever. Mr. Alfano agree because a lot of stuff falls through the cracks.

#### **K-9 VEHICLE CAGE**

Mr. Bittner spoke with the K-9 Officer and he was told the K-9 would be street ready by August and therefore a K-9 cage is needed. The K-9 Officer and Officer Sheehan got some quotes. They recommended a K-9 transport insert by Prezees. This is the entire cage, includes the door panels and everything. The price is \$1,999.99. Mr. Bittner asked the Chief If that could be taken from the K-9 Fund. It could be. Motion by Mr. Bittner to purchase the K-9 vehicle cage for \$1,999.99 to be paid out of the K-9 Fund. Under discussion it was stated that Mr. Taday will install the cage. On a roll call vote motion carried with all members present voting yes.

Mr. Bittner asked for an executive session on police matters at the end of the meeting and Council will come out and vote.

#### **K-9 VEHICLE**

Mr. Alfano questioned a K-9 vehicle. Mr. Bittner stated Mr. Agrafiotis has been working on a memorandum of understanding with the Teamsters and he will report on that this evening. Mr. Alfano stated most departments have a designated K-9 vehicle. Chief Encapera stated the old Explorer would be used and he had it properly marked. This issue is whether he would take it home. He has some hurdles to jump over from the preceding K-9 handler. Mr. Agrafiotis would be speaking with the officer

and Mr. Bedillion next week. Mr. Bittner asked if a special meeting would be needed to approve the Memorandum of Understanding. Mr. Agrafiotis stated this is the second draft of the K-9 policy and after meeting once and making changes, he hasn't heard anything back from the second draft. Those policies can be put into place and amend them later. As far as the Memorandum of Understand, pass that in a motion contingent upon next week working out satisfactory and have it signed before the next meeting. The vehicle would not be addressed in the memorandum of understanding.

Mr. Alfano felt a special meeting could be held before the next Committee Meeting. Mr. Bittner stated there would have to be a motion to provide the K-9 Officer with a vehicle to take home and then he could take it to training. Mr. Encapera stated he will be working August 1, 2015. Mrs. Gutosky asked about using the vehicle other than going to and from the Borough Building and training and asked how that could be tracked. Mr. Mariscotti had the same issue with this. Mr. Bittner stated put in the motion to use the vehicle for official police business only. Mr. Difilippo had no problem with taking it back and forth because if he could receive a call in the middle of the night. Mrs. Gutosky wanted a monthly report on his mileage and asked who would pay for fuel. Mr. Alfano stated the Borough just like when patrolling any other time.

Motion by Mr. Encapera and seconded Mr. Mariscotti that the K-9 Officer would be provided a vehicle to take home, used for police business only and provide a log of mileage and gas monthly to Council. Under discussion, Mr. Encapera questioned if the K-9 Officer should be a resident of California. Mr. Bittner stated the Borough had that police at one time and did away with it. On a roll call vote motion carried with all members present voting yes.

#### **FINANCE – MRS. GUTOSKY**

##### **PAYMENT OF BILLS**

Motion by Mrs. Gutosky and seconded by Mr. Encapera for payment of the regular monthly bills. On a roll call vote motion carried with all members voting yes.

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

##### **PUBLIC HEALTH UPDATE**

Mr. Difilippo stated Council was provided with a Public Health report.

#### **WIDMER ENGINEERING INVOICE #21505167 – PROJECT #15575**

Motion by Mr. Difilippo and seconded by Mr. Bittner to pay Widmer Engineering Invoice #21505167 – Project #15575 in the amount of \$4,601.25 for the main pumping station for design and contract documents. On a roll call vote motion carried with all members present voting yes.

#### **WIDMER ENGINEERING INVOICE #215051769 – PROJECT #15531**

Motion by Mr. Difilippo to pay Widmer Engineering Invoice #21505169, Project #15331 in the amount of \$180.00 for the project manager for two hours of meeting preparation. Under discussion Mr. Difilippo asked Mr. Leer what this invoice was for. Mr. Leer stated getting documents ready for the meeting. Motion died for lack of a second.

#### **WIDMER ENGINEERING INVOICE #21505148 – PROJECT #15577**

Motion by Mr. Difilippo and seconded Mr. Mariscotti to pay Widmer Engineering Invoice #21505148 – Project #15577 in the amount of \$135.00 for 1 ½ hours for researching Fayette Engineering contract for legal counsel. On a roll call vote motion carried with all members present voting yes.

**WIDMER ENGINEERING INVOICE #21505153 – PROJECT #14587**

Motion by Mr. Difilippo and seconded Mr. Mariscotti to pay Widmer Engineering Invoice #21505153 – Project #14587 in the amount of \$5,238.75 for the WWTP professional services including, participating in the manufacturer’s startup of the centrifuge, investigation of alternatives for centrifuge pump pit motor location, continued coordination with vendor regarding blower motor oil leak and preparation of payment request. On a roll call vote motion carried with all members present voting yes.

**WIDMER ENGINEERING INVOICE #21505155 – PROJECT #15576**

Motion by Mr. Difilippo and seconded Mr. Mariscotti to pay Widmer Engineering Invoice #21505155 – Project #15576 in the amount of \$1,087.50 for demo of the old tanks. On a roll call vote motion carried with all members present voting yes.

**WIDMER ENGINEERING INVOICE #21505156 – PROJECT #15586**

Motion by Mr. Difilippo and seconded Mr. Mariscotti to pay Widmer Engineering Invoice #21505156 – Project #15586 in the amount of \$692.50 for the Peach Alley Project, coordinate with contractor for paving review analysis and preparation of change order #1. On a roll call vote motion carried with all members present voting yes.

**WIDMER ENGINEERING INVOICE #21505166 – PROJECT #14593**

Motion by Mr. Difilippo and seconded Mr. Mariscotti to pay Widmer Engineering Invoice #21505166 – Project #14593 in the amount of 5092.50 for the Peach Alley Project - Bella Enterprises for correspondence with the contractor and sinkhole, preparation of notice letter to contract and punch list completion time. On a roll call vote motion carried with all members present voting yes.

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

Mr. Encapera asked for an executive after all business is done.

**ENGINEERING REPORT**

**ELECTRICAL CONTRACTOR**

Mr. Leer reported that the electrical contractor’s final payment is due and he has satisfactorily completed all punch list items. Motion by Mr. Difilippo and seconded by Mr. Bittner to pay A-1 Electrical the final payment in the amount of \$77,211.66. On a roll call vote motion carried with all members present voting yes.

**BLOWERS**

Mr. Leer negotiated with the blower manufacturer representative to get the blowers to Reading for repair of the oil leaks. They are requesting that the borough staff take the blowers off of the pedestals and load them on the truck. The Borough will not pick up the freight tab. He will email them tomorrow and ask that the borough is given a minimum of a 72 hour notice. There was less than 1,000 hours on the blowers when the leaks started.

**SLUDGE TRANSFER PUMP FOR CENTRIFUGE**

Regarding the sludge transfer pump the sludge transfer pump for the Centrifuge, Widmer received information from the vender that the calculations need verified. He will report back to Council on this at the next meeting so that process can get started.

**R-TECH INVOICE**

Mr. Leer has an invoice for a preventative seal to prevent moisture from entering the motor cavity.

When they went bad Steve had them put the water tight seals on and since that wasn't under warranty, the invoice is for \$348.00. Motion by Mr. Bittner and seconded by Mr. Mariscot to pay the invoice to R-Tech in the amount of \$348.00. On a roll call vote motion carried with all members present voting yes.

#### **PEACH ALLEY SANITARY SEWER PROJECT**

Bella has satisfactorily completed all of their punch list items. A resident provided Mr. Sulkosky with an additional complaint. Mr. Leer forwarded that to Bella and to date has no heard from Bella.

Mr. Tuday contacted Mr. Leer regarding a sinkhole beginning to form near First and Liberty. That information was forwarded to Bella and Mr. Leer has not heard from Bella regarding that matter.

R & B's paving work has been completed.

#### **LIBERTY TOWERS – SEAL COAT**

Mr. Leer called seven contractors and two quotes were received for Liberty Towers. The lowest quote was \$950.00 to seal coat Liberty Towers' parking lot in accordance with the alleged verbal agreement that, that would occur. Mr. Leer felt this should be done to keep a good neighbor approach. Bob Belch is the contractor. Bella is to provide the Borough with a prepaid invoice with the striking company because they have to do that as part of their contract. Once the seal coating is done they will strike the parking stalls. There was nothing in the contract with Bella that required them to do this. Originally they were to go under the out building on Peach Alley that is technically not supposed to be there but the design was revised to go down through the yard, out to Liberty Street and down to tie in there. The Housing Authority did have the parking lot seal coated before the project. Mr. Hott's contention was that was a condition of them agreeing to a right of way through the parking lot. Motion by Mr. Bittner and seconded by Mr. Difilippo to employ Bob Belch to seal coat the parking lot of Liberty Towers in the amount of \$950.00. On a roll vote motion carried with all members present voting yes.

#### **WWTP DEMOLITION**

Regarding the demolition of the old waste water treatment tanks, all the contact documents and the Solicitor's comments have been satisfactorily resolved. The Notice to Proceed will be issued on Monday, July 14, 2014.

The contractor is requesting that the completion date be extended from August 1, 2015 to August 15, 2015 due to the unforeseen amount of time to process the contract. Mr. Leer sees no problem with that. The contractor is planning on mobilizing their equipment into the Borough over the weekend. They will not have a key to the plant site. They will unload their equipment in the yard behind the plant and Mr. Baker and Mr. Santo can let them in on Monday. Motion by Mr. Difilippo and second by Mr. Mariscotti to grant a change order to the contractor for a time extension of two weeks. On a roll call vote motion carried with all members present voting yes.

Mr. Fowks stated that Columbia Gas dumped some material behind the plant today. Mr. Alfano asked if that would prohibit the contractor from unloading their equipment there. Mr. Fowkes did not know.

#### **MAIN PUMP STATION**

Mr. Leer had hoped to have the drawing ready for tonight, but when the vender got back to him with the pump selection, the generator size was insufficient. So they have been working on finding an alternative pump. They did find one and will have the documents for Mr. Baker and Mr. Santo to review on Friday, July 17, 2015.

Widmer would like a meeting with Mr. Baker, Mr. Santo and any Councilmember that wishes to attend to review the bid documents during the week of July 20, 2015. Then if Council wants to consider conditional authorization to advertise the project conditioned upon Widmer meeting with Borough staff and Council and address any comments that arise. Council will get back to Mr. Leer with a date and time for the meeting. Mr. Leer asked if Council wanted to advertise for bids. Mr. Mariscotti stated that could be done at the next meeting.

#### **PENNATRONICS EXPANSION**

Widmer has reviewed the stormwater design and has no technical exceptions to the plan as presented. Mr. Leer would provide a comment letter to Mr. Petro. The two comments are: 1) The developer/owner needs to enter the required Operation and Maintenance Agreement with the Borough and 2) The developer/owner is required to submit record drawings, inclusive of a Certification of Completion (by a Qualified Professional). This invoice is one that the developer can be required to reimburse the Borough for review fees. 3) Address conditionally the sewer service accessibility letter that the developer has to pay the appropriate tap in fee.

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

##### **MEMORANDUM OF UNDERSTANDING CASD AND POLICE DEPARTMENT**

Mr. Agrafiotis reviewed the Memorandum of Understanding with the school district and police department. There are some omissions, typos and language that he feels needs to be changed. He will confer with the school district solicitor that he is working with on the Pilot Agreement and hopefully have all the issues corrected for the August meeting.

#### **K-9 AGREEMENT UPDATE**

Mr. Bedillion is available to meet Tuesday the 14<sup>th</sup> and Thursday the 16<sup>th</sup> of next week, in the afternoon. The meeting will be with Mr. Bedillion, the officer, Mayor, Chief and members of council so this agreement can be in place in early August. Mr. Agrafiotis is available on the 16<sup>th</sup>. Mr. Alfano asked that Mr. Agrafiotis get a time and get back to Council.

Mr. Agrafiotis asked that Council review the K-9 Policy before the meeting.

#### **SWEEPING LIST**

Mr. Tудay provided Mr. Agrafiotis with the sweeping list so he will reach out to those municipalities.

Mr. Leer provided Mr. Agrafiotis with the documentation on the former engineer and he forwarded that to Mr. Leonard.

Mr. Bittner asked if the K-9 Policy could be approved tonight contingent upon. Mr. Agrafiotis stated the K-9 Policy second draft could be approved tonight which could be amended at any time. A condition approval could be done that once Council is satisfied with the final agreement with the union and the officer and that could be signed at any point and can be done before August.

#### **K-9 POLICY AND PROCEDURES**

Motion by Mr. Bittner and seconded by Mr. Mariscotti to approve the K-9 Policy and Procedures which can be amended. On a roll call vote motion carried with all members present voting yes.

#### **MEMORANDUM OF UNDERSTANDING**

Motion by Mr. Bittner and seconded by Mr. Difilippo to conditionally approve the Memorandum of

Understanding with the K-9 Officer and the union subject to next week's meeting and all terms and conditions being agreeable. On a roll call vote motion carried with all members present voting yes.

#### **BOROUGH MANAGER'S REPORT – MR. SULKOSKY**

##### **PAWC EXTENSION DEPOSIT AGREEMENT**

Mr. Sulkosky read the letter from PA American Water regarding the Extension Deposit agreement dated June 29, 2015. This agreement is to be signed and return to PAWC. Motion by Mr. Bittner and seconded by Mr. Difilippo approve the PAWC Extension Deposit Agreement and have Mr. Alfano sign the agreement. Motion carried with all members present stating aye.

##### **ADVENT COMMUNICATIONS**

Andrew King of Advent submitted a quote in the amount of \$7,904.70 for the wiring of the municipal building addition. Mr. Sulkosky asked Mr. Kulak if he knew of anyone that could do this for less and he could not find anyone. Mr. Alfano stated Advent is a CoStars vender and the telephone company for the borough building. Motion by Mr. Mariscotti to approve Advent Communications' Quote 17458 of \$7,904.70 to do the wire for the borough building addition. On a roll call vote motion carried with all members present voting yes.

##### **HIGBEE – WORKERS' COMPENSATION**

Mr. Sulkosky received from Higbee Insurance a letter stating they had checked with nine carriers and none would write the Borough's worker's comp. Therefore, the Borough must go through SWIF. The premium is in the amount of \$57,705.85. That is a little less than last year. Motion by Mr. Difilippo and seconded by Mrs. Gutosky to approve SWIF as the Borough's worker's compensation with the premium of \$57,705.84. On a roll call vote motion carried with all members voting yes.

##### **WORKER'S COMP SWIF – FIRE DEPARTMENT**

Renewal billing from SWIF for the fire department's worker's comp was received. The annual premium is \$29,484.00, to be paid in four installments. That is a \$5,000.00 increase from last year. Motion by Mr. Difilippo and seconded by Mr. Mariscotti to approve the purchase of workers' comp for the fire department in the amount of \$29,484.00. On a roll call vote motion carried with all members voting yes.

##### **SEWER DEPARTMENT AND CODE ENFORCEMENT MONTHLY REPORTS**

Mr. Sulkosky provided copies of these reports in Council's packets. The code enforcement office received a complaint about mold in a rental and the code enforcement officer did a mold test. Mr. Sulkosky asked for approval to have the test sent out for analysis in the amount of \$40.00. Mr. Bittner did not feel this should be done. Mr. Melenzyer stated this would pose a potential liability.

##### **LIGHT POLES**

Mr. Difilippo felt a couple light poles could be placed at the circle. Mr. Bittner stated the Eagle Scout asked for a few to put at the library. Mr. Difilippo asked that somebody find out how many are needed at different places, Council email where they think any are needed, pick the best ones and then decide what to do. Mr. Alfano is against getting \$50 per pole. Those poles cost several thousand dollars each. Mr. Sulkosky stated some will be advertised for sale. Mr. Alfano would like to light all of Second Street.

##### **MEETING WITH PAWC**

Mr. Sulkosky had a meeting with PAWC this week. The work on Wood and Third Street should be



done on or about July 17, 2017. He will contact PennDot so they can start paving on Wood and Third Street.

PAWC would like a meeting with Council within the next few weeks to discuss High Point/Long Branch water/sewage project. This is an informational session. Mr.Sulkosky would inform Council of the date when PAWC contacts him.

#### **POLE LIGHTS**

Mr. Sulkosky contacted West Penn Power regarding the lights on Second and East Streets. It will take them a couple of weeks to get them removed.

#### **FITS PROGRAM/WASH. COUNTY CONSERVATION DISTRICT MEETING**

Mr. Sulkosky met with Joe Bally of the FITS Program and the Washington County Conservation District. Mr. Bally sated cleaning up at Rotary Park would be a good project for the FITS Program to do twice a year but the Borough could not get on their schedule until 2016.

They also went to the Alfonsi property on California Drive. There has been flooding there this past year. The Conservation District informed that PennDot is responsible for that.

#### **WILSON ROAD**

Mr. Sulkosky met with West Brownsville Borough and the Center West Sewer Authority regarding Wilson Road. They will submit to the Redevelopment as a multi-municipality and multi-utility effort this year.

#### **SEAL COAT**

Russell Standard will start the seal coat project the week of July 27, 2015.

Victor Paving will start their paving of Fourth and Liberty in August.

#### **LIGHT POLE**

Mr. Sulkosky has been calling Nation Wide Insurance but has received no return call. Nation Wide offered 90% payoff for the light pole at Malden Extension that was knocked over. Mr. Bittner asked if only 90% has to be accepted. Mr. Mariscotti stated no.

#### **WATER ISSUE IN CODE ENFORCEMENT OFFICE**

There has been a water leak issue in the Code Enforcement Office. TBI looked at it and felt the gutter outside the office is rusted.

#### **PURCHASING POLICY**

Regarding the purchasing policy, Mr. Sulkosky stated the biggest concern at the last meeting was the amount the Borough Manager could approve so he reduced the amount to \$5,000.00. He asked council to take action on this policy. Mr. Alfano felt a purchasing policy is important so it can be seen what the different departments are spending. The policy was drawn up in accordance with Ordinance No. 512 and the Borough Code. Mr. Agrafiotis felt there was a question about the last sentence, the Borough Manager could modify at any time, any section of the purchasing policy. He though Council wanted that to state Council could modify. Mr. Melenyzer stated the Borough Manager could never change the terms and conditions on his own. Council would have to approve that. Mr. Melenyzer asked the Borough Manager how much of the Borough's money he could spend. Mr. Sulkosky stated that Council

would have already approved the line items and that would be up to \$5,000. Mr. Melenzyer stated Council would have to approve any expenditure. Line items don't necessarily mean what could be spent within that department. He again asked what he could spend without going before Council. Mr. Sulkosky stated after \$5,000.00 it has to go before Council and the Borough Manager can spend up to \$19,400.00. Mr. Melenzyer disagreed with telephonic quotes. He then asked if the Borough Manager is getting all the information on quotes, how it is getting to Council. Mr. Sulkosky stated \$5,000.00 is substantially less than what the Borough Code states and the Borough Manager Ordinance states that the Borough Manager is the purchasing officer of the borough. Mr. Melenzyer stated the Borough Code is above the ordinance so the Borough Code does not mandate what is in there. Mr. Melenzyer stated there is no check and balance in the policy. Mr. Alfano asked the Solicitors to look at the policy. Mr. Bittner did not feel a line item up to \$5,000.00 should be spent without Council's approval and Mrs. Gutosky agreed. Mr. Alfano asked that everyone look at this policy, put their suggestions in writing and get this done next month.

Mr. Encapera asked Mr. Sulkosky if he had his written report for Council. Mr. Sulkosky stated he provided it at the last meeting.

#### **OLD BUSINESS**

##### **RENTAL LICENSE - SEWAGE**

Mr. Difilippo asked if the Zoning Office was checking to make sure sewage was paid in full before giving rental license.

##### **TRUCK**

Mr. Tудay was given a range of \$9,000.00 to \$11,000.00 for the 2001 truck. Mr. Difilippo stated another truck is needed. Mr. Tудay is on vacation this week. Mr. Alfano stated advertise the truck for bids. Mr. Difilippo felt maybe it could be used as a trade in.

##### **POT LUCK DINNER**

Mr. Sulkosky announced there is a pot luck dinner for the Charleroi Historical Society on July 20, 2015 at 6:00 pm.

##### **WASH. CO ELECTRONICS COLLECTION**

Mr. Sulkosky stated Washington County is having an electronics collection on July 25, 2015, 10:00 am to 1:00 pm. Drop off is at the Washington County Fairgrounds.

##### **TRUCK**

Mr. Difilippo would like to advertise for sale the 2001 truck and get prices for a new truck. See what the trade in would be on a new truck. Mr. Bittner would like prices on a 550 and larger.

##### **EXECUTIVE SESSION**

Mr. Leer asked for an executive session in the future to finalize the issues with Bella. Mr. Alfano felt that should be done prior to a meeting so if something needed voted on it could be done at the meeting. Mr. Leer has an analysis completed.

##### **POLES**

Mr. Bittner would like the poles installed and there has been messages about a pay station. Mr. Mariscotti stated Mr. Tудay wants the paving done so he can line the streets and then put the parking meters in.

## **NEW BUSINESS**

### **MEETING AT ROTARY PARK**

Mr. Alfano reported that there was a meeting at Rotary Park on Wednesday and it was with all the players that would be involved if the renovation of the stream is done. The Army Corps of Engineers, DEP, Cal U, PennDot, Fish Commission and Wildlife and Conservation were present. Approval processes and permits have to be gone through. The project will be in the hundreds of thousands of dollars. The whole stream bed will be done from this side of the highway where it comes under 43 so they can get a walking trail to the river. This is a 2016 project.

### **CATCH BASIN 650 GREEN**

Mr. Alfano would like the Mr. Sulkosky, Mr. Tудay, Mr. Baker and Mr. Santo to look on Monday at a crushed catch basin in front of a house at 650 Green St. The person living there is afraid to drive over it. Mr. Baker stated that is not tied into the system, there is another one across from it and it was talked about tying those in.

### **FIRE TRUCK**

Barry Niccolai, Fire Chief on behalf of the fire department, requested a donation for a new pumper truck. The new truck will cost between \$600,000.00 and \$650,000.00. Motion by Mr. Difilippo and seconded by Mr. Encapera to donate \$100,000.00 to the fire department for a pumper truck, \$50,000.00 to be paid August 1, 2015 and \$50,000.00 on August 1, 2016. On a roll call vote motion carried with all members present voting yes.

## **RECOGNITION OF CITIZENS**

### **DAN FOWKES**

Mr. Fowkes make Council aware that there are new light fixtures stored in the borough garage. They were purchased when Chester Engineering was designing the plant and are there is \$20,000.00 to \$30,000.00 worth. Mr. Baker stated they tried to use some of them in in the new plant. There are two truckloads. Mr. Fowkes suggested selling them.

### **THOMAS HARTLEY**

Mr. Hartley thanked the Police Chief and his officers for helping with downed trees and wires. He then thanked Council for the donation.

### **MARK GRIVDA**

Mr. Grivda of 695 Green St., along with a few other neighbors was asking Council for advice and direction. They are adjacent to Krahmer Way, a paper alley and Mr. Dentino has shown interest in making that a private drive. Mr. Agrafiotis and Mr. Petro were there a month ago and there was some discussion about that. It would be a private matter because it is a paper alley on the map and it has been way over 21 years. Mr. Melenyzer stated the 21 year has expired. So the Borough loses its right having to open it. Mr. Agrafiotis stated 51 percent of the abutting property owners would have to petition Council to open it, if Council opens it, it would be their road and the Borough would have to maintain it. Mr. Melenyzer stated he could just open it on his own. The Borough has no rights to it without 51 percent coming to Council and asking for it to be opened. Then it could be opened but must be to current specifications. Mr. Dentino does not own that property so he could not open it. Mr. Leer stated if the disturbance is significant enough they could call the County Conservation District and the County will shut him down if it exceeds one acre. Mrs. Gutosky questioned the alley by Todd's. Mr. Agrafiotis stated that was one of two borough streets that was requested to be vacated.

**GREG RUTH**

Mr. Ruth passed out fliers for the California and Richeyville Fire 3<sup>rd</sup> Annual Golf Classic on September 28, 2015 at Nemaocolin County Club.

Motion by Mr. Bittner and seconded by Mr. Difilippo to go into executive session at 9:20 pm for personnel issues. Motion duly carried.

Meeting back in session at 10:00 pm.

Mr. Alfano reported that the executive session was for police business, to address a specific officer that had a situation with the Borough and a matters with an employees.

**NEW BUSINESS**

Motion by Mr. Encapera to remove the Borough Manager, Sam Sulkosky effected July 9, 2015. Mrs. Gutosky seconded the motion. Under discussion, Mr. Sulkosky stated he has a right to know the reason. Mr. Melenyzer stated if he had a question about the thirty day notice. Mr. Agrafiot stated the Borough Code does not require that. Mr. Sulkosky stated the Borough Manager Ordinance does. Mr. Melenyzer stated that the ordinance does not take precedence over the statute. Mr. Sulkosky did not know why council would consider this. He felt he is doing a good job. Mr. Melenyzer stated he is an at will employee so they do not have to give him a reason. On a roll call vote motion carried with Mr. Alfano and Mr. Mariscotti voting not and Mr. Bittner, Mr. Difilippo, Mr. Encapera and Mrs. Gutosky voting yes. Mr. Melenyzer stated the thirty days pay, keys and security should be put into a motion. He should hand in his keys now. Also, allowing him to take personal things out of the office.

Mr. Encapera made a motion for Mr. Sulkosky to return all keys, borough documents effective immediately and make arrangements with the Chief or a council person to get his belongings. Mr. Difilippo seconded the motion. On a roll call vote motion carried with Mr. Bittner, Mr. Difilippo, Mr. Encapera, Mrs. Gutosky and Mr. Alfano voting yes and Mr. Mariscotti voting no.

Motion by Mr. Encapera to advertise for the Borough Manager position with the deadline being August 13, 2015 with the description as outlined in the advertisement last February. Mr. Bittner seconded the motion. Motion failed with Mr. Difilippo, Mr. Mariscotti, Mr. Mariscotti and Mr. Bittner voting no and Mr. Encapera and Mrs. Gutosky voting yes.

Bittner/Difilippo motion to adjourn at 10:20pm duly carried.