

Regular Meeting of California Borough Council, June 11, 2015, 6:30 pm

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

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

ABSENCE: Mr. Encapera

PLEDGE OF ALLEGIANCE

ADDITIONS OR CHANGES TO AGENDA

Mr. Mariscotti added invoice from Allstar Transmission

Mr. Weld added parking spot at 475 Ellsworth St.

Mr. Agrafiotis added Resolution 15-005

MINUTES

Motion by Mariscotti/Gutosky to approve the regular meeting minutes of May 14, 2015 carried with all members present stating aye.

SECRETARY/TREASURER REPORT – MS. EVANS

Ms. Evans read the accounts payable and account balances as of May 31, 2015.

Motion by Difilippo/Glab to approve the Secretary/Treasurer report carried with all members present stating aye.

PRESIDENT'S REPORT – MR. ALFANO

Mr. Alfano stated we have an invoice from EP & D for services from April 1st through April 30 in the amount of \$715.71.

Motion by Mariscotti/Difilippo to pay EP & D invoice in the amount of \$715.71 duly carried on a roll call vote with all members present voting yes.

TRANSFER FROM BOND PROCEEDS TO GENERAL FUND TO PAY CM SERVICES

Mr. Alfano stated we have to transfer money from the Bond Proceeds account to the General fund to pay CM Services invoice 15-059 in the amount of \$3,565.27.

Motion by Mariscotti/Gutosky to transfer \$3,565.27 from the Bond proceeds account to the General fund to pay CM Services invoices #15-059 duly carried on a roll call vote with all members present voting yes.

JOINT LSA APPLICATION WITH WEST BROWNSVILLE – WILSON ROAD WATER

Mr. Alfano stated we heard from West Brownsville Council President, Mark Tobak and Councilman John Petro requesting California Borough file joint application for LSA monies to provide water to residents on Wilson Road. He asked council what is their pleasure.

Motion by Bittner/Mariscotti to authorize entering into a joint application with West Brownville Borough for an LSA Grant duly carried on a roll call vote with all members present voting yes.

TRANSFER FROM BOND PROCEEDS TO GENERAL FUND TO PAY TBI CONTRACTING

Mr. Alfano stated we need a motion to transfer money from the Bond Proceeds account to the General fund account to pay TBI's payment request #3 in the amount of 154,494.00. Mr. Alfano stated these folks are doing the addition to the borough building.

Motion by Bittner/Mariscotti to transfer \$154,494.00 from the Bond Proceeds account to the General fund account to pay TBI's Payment request #3 duly carried on a roll call vote with all members present voting yes.

RECREATION AUTHORITY ANNOUNCEMENT

Mr. Alfano announced that the try outs for Bud Grebb summer basketball league will take place this weekend and early next week. Last year we had 18 different school districts involved in the league. Mr. Alfano asked Chief to just have some police presence so everything stays calm.

PUBLIC HOUSING – MR. GLAB

ZONING/CODE ENFORCEMENT UPDATE

Mr. Glab stated they have been conducting their normal duties. This is starting time for their busy season and they sent out the rental license applications. They will be doing rental inspections and code enforcement on grass and weeds and sending letters for those violating the ordinance. Hopefully they get compliance and if not those will be sent to the magistrate's office.

PENNATRONICS SITE PLAN REVIEW

Mr. Glab stated we have a site plan review for Pennatronics at 75 Technology Drive and the Zoning Hearing Board approved their special exception for their existing facility and the Planning Commission reviewed the site plan on June 2nd and recommends that borough council approve the site plan with no conditions. He stated the planning commission also made a motion that Pennatronics pay the appropriate tap in fees and site plan review fees. Mr. Glab asked Mr. Leer if they have had the opportunity to look at the storm water plan. Mr. Leer stated not because we need a resolution in place before we can do that. Mr. Glab stated he will address this later under the Solicitors report. Mr. Petro asked if they are going to approve it after the resolution is passed. Mr. Agrafiotis stated yes we will do it under new business once the resolution is passed.

SITE PLAN REVIEW -SISLER AT 512 FOURTH AND 320 GREEN STREET

Mr. Glab stated this site plan review took place. Mr. Petro stated he thinks Tom had issues about the easements. Mr. Agrafiotis stated he talked to Mr. Petro and one of his requirements prior to starting is the deed be complete. He asked Mr. Petro if that is correct and he replied yes. Mr. Petro stated his letter was a little vague on what he was going to do with the easements so he spoke to Mr. Agrafiotis and they decided it is more important that we have these easements in place before he starts any work so we are guaranteed that they are there and in place before he starts in any work. Mr. Petro suggested council make the motion that the easements be in place and recorded prior to any work commencing.

Motion by Glab/Bittner to approve the Site plan review for Ron Sisler's property at 512 Fourth Street and 320 Green Street pending the easements being in place before any work is started and this site plan review does not entitle him to any parking spaces on either Green or Fourth Street duly carried on a roll call vote with all members present voting yes.

UCC APPEALS BOARD MEMBERS

Mr. Glab stated we need to reappoint some members to the UCC Appeals Board.

Motion by Glab/Mariscotti to reappoint Ron Parshall to the UCC Appeals board with a term expiring on December 31, 2016 duly carried on a roll call vote with all members present voting yes.

Motion by Glab/Gutosky to reappoint Kevin Clancy to the UCC Appeals board with a term expiring on December 31, 2017 duly carried on a roll call vote with all members present voting yes.

Motion by Glab/Mariscotti to reappoint Ken Kulak Jr. to the UCC Appeals Board with a term expiring on December 31, 2018 duly carried on a roll call vote with all members present voting yes.

PUBLIC WORKS – MR. MARISCOTTI

STREET DEPARTMENT UPDATE

Mr. Mariscotti stated we have ongoing operations at the street department; the guys have picked up some electronics, cut grass, fixed paving and normal everyday duties.

ALLSTAR INVOICE

Mr. Mariscotti stated it appears that the transmission is finally fixed in the dump truck down at Allstar and he has a bill from them so he is making the following motion

Motion by Mariscotti/Bittner to pay the Allstar transmission bill in the amount of \$3,045.14 for the repair of the transmission of the 2001 dump truck duly carried on a roll call vote with all members present voting yes.

Mr. Difilippo asked if there is any kind of warranty with this. Mr. Mariscotti stated it doesn't appear so but we've taken special steps to keep it from happening again. These guys were running it too high in gear with salt and plowing with too much weight on it. Their recommendation is keeping it in low range around 10 – 15 miles per hour. He stated otherwise we're going to keep blowing out transmissions. We also put a temperature gauge on it so we can monitor the temperature of the transmission is and shut it down if needed. So hopefully this will avoid further repairs in the future.

Mr. Bittner stated we got rid of a truck because we were told it wasn't good and we needed a new truck so we buy a new truck and then we have problems with this truck, and this is the second repair on the transmission, he stated he would like to see us not use that truck when we get it back and have Mr. Tудay ascertain a price that that truck is worth and we consider selling it or putting it out for bid at the next meeting. He stated we keep junk, we're always repairing junk, we buy new stuff and we still run the junk. Mr. Mariscotti stated so we're going to be down one truck now. Mr. Bittner stated we've been down one truck for six months. Mr. Bittner stated that was just an extra truck that we never had in our fleet the whole time. We've added Jeff's truck since then and the 800 sits and if we have to use it we have to use it. Maybe if you used that instead of that little truck we wouldn't have as much transmission troubles.

Motion by Bittner/Difilippo to have Jeff Tудay get a value on the 2001 dump truck and possibly putting it out for sell at the next meeting carried with all members present stating aye.

PUBLIC SAFETY REPORT – MR. BITTNER

SIDEWALKS NEAR BULL PEN

Mr. Bittner stated this was discussed at the committee meeting and the sidewalks and once we get the old treatment plant torn down that whole series of sidewalks down there need replaced and he asked Jeff to get a cost estimate of replacing those sidewalks and we will do the work.

CARPORT AT OLD SEWER PLANT

Mr. Bittner stated the carport that is at the old sewer plant bull pen council discussed last week and they want it moved down to the new sewer plant and installed. There should be a front and back and front to that to lower that roof to protect it. That way we can get more equipment out of the weather.

HARDSHIP PARKING REQUEST

Mr. Bittner stated you have a hardship request in your packet and it has been reviewed by the Chief and reviewed by Mr. Tудay. It is for Dorothy Adams at 739 Park Street.

Motion by Bittner/Glab to grant the handicap stall requested by Dorothy Adams at 739 Park Street duly carried on a roll call vote with all members present voting yes.

FINANCE – MRS. GUTOSKY

PAY MONTHLY BILLS

Motion by Gutosky/Bittner to pay the monthly bills excluding the business use of vehicle bill duly carried on a roll call vote with all members present voting yes except Mr. Alfano who voted no.

MONTHLY USE OF VEHICLE BILL

Mrs. Gutosky asked council what they want to do with this bill. Mr. Alfano asked how much it was for. Mrs. Gutosky stated it has been revised three times and the final submission amount is \$461.09 however in being consistent with what council has done concerning the borough

managers trip to Lancaster, council chose not to pay his expenses and hotel and meals, these amounts are included in this bill totally \$316.76 and once we remove that we would be paying only his mileage which is \$144.33 for doing his daily business for the borough for May, April and March. Mrs. Gutosky and Mr. Glab made the motion to pay \$176.40 of the business use of vehicle bill.

Amended motion by Gutosky/Glab to pay the borough manager business mileage in the amount of \$144.33 duly carried with Mr. Bittner, Mr. Difilippo, Mr. Glab, and Mrs. Gutosky voting yes and Mr. Alfano and Mr. Mariscotti voting no.

Mr. Sulkosky stated it specifically states under item number 8 that travel reimbursement will be reimbursed for all official borough business and attending the Pennsylvania State Association of Borough's conference couldn't be anything but official borough business. He stated he was there representing this borough and now you are not going to pay an expense that was agreed to in my terms of employment. Mr. Bittner stated he made a motion concerning this that we pay the expenses of anyone going to that but only for their registration fee and he stated anyone else that wants to go will be responsible for their own mileage and hotel room. The borough manager was well aware of that motion that night. Mr. Sulkosky stated he does not recall it specifically excluding mileage. Mr. Bittner stated well that was the motion and he's made the same motion the last several years because he's never put in for reimbursement of mileage, hotels, or meals. Mr. Sulkosky stated well that is your decision. Mr. Sulkosky stated if you exclude him attending the PSAB function where he was representing the borough it is in violation of the borough code and section 8 of his employment agreement. Mr. Melenzyer asked that he get a copy of the minutes concerning the Borough Manger and a copy of his employment agreement so he can read it and render a written opinion to council what they are obligated to pay and not obligated to pay.

MID MON VALLEY TRANSIT AUTHORITY 2015-2016 LOCAL MATCH

Mrs. Gutosky stated we have an invoice to pay our local match to the MMVTA in the amount of \$4,082.00.

Motion by Gutosky/Difilippo to authorize payment to the Mid Mon Valley Transit Authority for our 2015 Local Match in the amount of \$4,082.00 duly carried on a roll call vote with all members present voting yes.

MID MON VALLEY TRANSIT AUTHORITY RESOLUTION FOR 2016-2017 LOCAL MATCH

Motion by Gutosky/Difilippo to adopt the Mid Mon Valley Resolution 2016-2017 Local Match in the amount of \$4,082.00 duly carried on a roll call vote with all members present voting yes.

PUBLIC HEALTH – MR. DIFILIPPO

SEWAGE DEPT. MONTHLY REPORT

Mr. Difilippo stated the monthly sewage report is in everyone's packets.

DOUG BAKER – TRAINING COLLECTION SYSTEM SAFETY CLASS – JULY 10TH

Motion by Difilippo/Bittner to send Doug Baker to the Training on Collection System Safety Class in Cranberry Township on July 10th at a cost of \$100.00 duly carried on a roll call vote with all members present voting yes.

OLD SEWAGE PLANT

Mr. Taday stated he wanted to bring up the old sewage plant and the water company is going down and putting a new line in down on Mechanic Street and we currently have a 2" line going to the sewage plant and he wants to know what council wants to do with that building because we can downsize that line and get that 2" meter off of there and save some money. He asked if we could go with a 5/6" meter with a 3/4" hose if all we are going to have in there is offices and bathrooms that is all we would need. We can put a 3/4" and tap in later. Council agreed that would be a good idea.

DUMPSTERS AT THE SEWER PLANT

Mr. Bittner asked Shirley if we got the dumpster situation settled up at the sewer plant. Ms. Evans stated she's not sure and asked if there are two large trash dumpsters at the new sewer plant. Mr. Baker stated yes. Ms. Evans asked how many totes do we have. Mr. Baker stated there are two. She stated our trash service is supposed to be provided free of charge but we pay for sludge containers. Mr. Baker stated the two large dumpsters are for sludge and the smaller ones are for the rags and stuff so it's really not trash. Ms. Evans stated so we should be charged for all of these containers because they are not usual trash containers. Mr. Baker stated yes. Mr. Baker stated when the guy did the start up for the centrifuge he wanted two dumpsters there because he ran it for three days but we're not permitted yet so we have to get the new permit for them to accept the sludge and he's waiting on approval then we can get one of those dumpster out of there.

PERSONNEL COMMITTEE

Mr. Alfano asked if the personnel committee has anything. Mr. Mariscotti stated Mr. Encapera had put on the agenda Borough Manager's Agreement and he's not sure what he wanted to do with that so we'll let that go. Mrs. Gutosky stated well maybe when he comes, and he's planning on coming, we can go back to that. Mr. Alfano asked if he was coming tonight and Mrs. Gutosky stated yes he is. Mr. Bittner stated he said he was going to be late but he would be here. Mr. Alfano stated is this all about this book report we have here and we're supposed to be going paperless is this what this is all about. Mr. Sulkosky stated yes. Mr. Alfano stated no one is going to look at it anyway. Mr. Sulkosky stated we can put them on your tablets. Mr. Difilippo stated he can't get anywhere with his tablet. Ms. Evans stated and you won't because they just don't work correctly there is no straightening them out. Mr. Sulkosky stated Shirley and I spent a couple of hours trying to get these things to work. Mr. Sulkosky stated anything to do with personnel should be discussed in executive session. Mr. Alfano stated we'll ask that question if Mr. Encapera comes in.

MAYOR'S REPORT – MR. WELD

Mr. Weld stepped out of the meeting

ENGINEER'S REPORT – MR. LEER

WASTEWATER TREATMENT PLANT PROJECT

Mr. Leer stated the contractor has submitted a final payment application in the amount of \$65,285.99. Mr. Leers stated due to the punch list items not being completed we cannot issue a final payment so Widmer recommends a retainage of \$3,750.00 be held leaving \$61,535.99 to be paid to Mele & Mele.

Motion by Bittner/Difilippo to pay Mele & Mele \$61,535.99 and retain \$3,750.00 until punch list is completed duly carried on a roll call vote with all members present voting yes.

SLUDGE TRANSFER PUMP FOR CENTRIFUGE

Mr. Leer stated they are in the process of coordinating with the equipment manufacturer regarding the proposed changes and performing the required calculations.

OPERATORS AT THE PLANT ON THE WEEKENDS

Mr. Leer stated at the committee meeting council asked why we need operators at the plant on the weekends to monitor the UV transmittance. Mr. Leer stated he spoke to Sanitare and they told him that everything is already there that is needed with the exception of an Ethernet cable that will run from the UV control panel into the blower room and they will have to do some remote programming from their offices in Wisconsin. Mr. Baker asked how soon can we get this moving. Mr. Leer stated as soon as you can get the Ethernet cable in. Mr. Baker stated Steve had dropped off a cable but we never had time to do it.

PEACH ALLEY 1.0

Mr. Leer stated we received an email today from the original contractor notifying us that they plan to be in the borough to address the punch list items. Mr. Difilippo asked who is going to ensure that punch list items are fulfilled to council's liking. Mr. Leer stated Widmer will. Mr. Leer stated Mr. Eby stated he can be here and babysit the whole project or they can call us when they're completed and we can meet them and go over these items with them. It is up to council how they wish to proceed. Mr. Alfano stated he thinks Mr. Hott of the Washington County

Redevelopment Authority be here also to approve the work as they complete their section of the work. Mr. Leer stated they have until next Friday and Bella has been put on notice that it is council's intentions if these items are not corrected council will get a third party contractor to come in and do them and we'll withhold the money from their retainage. Mr. Glab stated he doesn't want Steve to be sitting here waiting on them to come in and finish up. Mr. Leer stated Steve will not wait around he will just leave and go to the office. Mr. Leer asked if we want Bella to paint the parking lines in that parking lot. Mr. Alfano stated yes they removed the lines they'll have to paint the lines. Mr. Leer stated that was not in the contract so we will have to pay them to do it and incorporate it into their final payment.

PEACH ALLEY 2.0

Mr. Leer stated we are coordinating a start date with R & B for paving.

OLD WASTE WATER TREATMENT PLANT

Mr. Leer stated we received the Solicitor's comments on the contract documents and we're in the process of resolving those matters and according to the previous motion of council he will issue the Notice to proceed once they satisfy the Solicitor's concerns.

MAIN PUMP STATION DESIGN

Widmer anticipates having a draft of the documents to present to council at next month's meeting.

COAL CENTER PUMP STATION DESIGN

Mr. Leer stated the design efforts are on hold pending clarification regarding property ownership easement matters. Widmer is working with the Solicitor to resolve these.

PENNATRONICS EXPANSION

Mr. Leer stated he gave Council President a letter from Widmer at the beginning of this meeting that recommends that council provides sanitary sewer system to the proposed Pennatronics building expansion upon Pennatronics paying the appropriate tap in fee. Mr. Leer stated their contention is that it is 25,062 sq. ft. expansion and they are not hiring additional work force. Their work force is currently appx. 120 and they need the extra square footage to go to a shift work operation where about 80 or 90 employees who currently work day shift are now going to work 3 shifts around the clock. The Borough Ordinance does allow for the assessment of additional tap in fee which Widmer will be calculating as part of the review process. The usage fees are billed on water consumption so if they do hire additional employees you will see that rise. The expansion does include two new restrooms with three toilets in each so there will be a total of 15 toilets in the entire facility.

MAYOR'S REPORT- MR. WELD

STREET LIGHTS ALONG THIRD & WOOD

Mr. Weld stated he was just advised by one of his officers that some of these poles are very loose so he is going to go around and tape off these poles because they are very loose and shaky. Council discussed several issues with the street lights with the Borough Manager and asked him to address those with the Redevelopment Authority and the contractor.

HARDSHIP - HANDICAP STALL – 475 ELLSWORTH ST.

Mr. Weld stated the resident at 475 Ellsworth Street is requesting hardship handicap stall be installed in front of her residence. She stated she's just gotten out of the hospital and everyone is parked in front of her house and she is 8 years old and can't walk a long distance. He stated he spoke to Chief Encapera who stated she basically just wants a spot where an ambulance can pull in if necessary. Mr. Glab stated can you just paint the curb there. Ms. Evans asked if you can just designate no parking. Mr. Glab stated yes that way you are solving the issue of if there is an emergency there. Mr. Weld stated she does have a license and she does drive so she may need to park there and would like a handicap stall. Mrs. Gutosky stated isn't there off street parking up there. Mr. Weld stated yes there is but sometimes that is not always accessible. Mrs. Gutosky asked if there is currently on street parking up there. Mr. Weld stated yes there is. Mrs. Gutosky asked if she has a handicap sticker. Mr. Weld stated yes she does.

Motion by Glab/Difilippo to install a handicap stall for the resident at 475 Ellsworth Street provided she fills out the proper paperwork duly carried on a roll call vote with all members present voting yes.

SOLICITOR'S REPORT –MR. AGRAFIOTIS

SHULTZ'S GRIEVANCE

Mr. Agrafiotis stated he has Shultz's grievances to discuss and he is owed for back pay on his first grievance which totals approximately \$6,500.00 and with his four vacation days he is just under \$7,000.00. The tentative agreement that was worked out, he has his own attorney and the union attorneys, this is just going to be a conditional motion that we pay him an amount not to exceed \$7,000.00 for his back pay grievance and we get credit for a flash light he kept which is approximately \$150.00 and he does a sworn affidavit that he no longer has his police badge and he withdraws his termination grievance and he gives us a full release of claims for any future or now existing claims but that will not include the indemnification claim that was initially in there because the DA put the kibosh on that. Mr. Agrafiotis stated originally he was going to withdraw his grievance and he wouldn't get a dime other than his vacation pay and that was the agreement in place for quite some time and at the last minute pursuant to a plea negotiation between his private attorney and the District Attorney's office who no longer insisted on that and him signing this indemnification and so that is that. Mr. Mariscotti asked if we can submit a bill to the District Attorney's office. Mr. Agrafiotis stated if council so chooses. He stated he will make a motion to pay it but he wants a bill sent to the DA whether it comes from your office or ours.

Motion by Mariscotti/Difilippo to pay former Officer Shultz an amount for his grievance not to exceed \$7,000.00 conditioned upon credit for flash light, affidavit for police badge, withdraws grievances, and release of all claims duly carried on a roll call vote with all members present voting yes.

SAI AGREEMENTS

Mr. Agrafiotis stated Shirley provided him with the three agreements for SAI on Campus Housing so we'll be discussing those and come up with a solution. He spoken with the Washington County solicitor and the School district Solicitor and hopefully we can put on a united front and try to figure out a scenario where they have to pay something even if they transfer those properties from SAI to the State Association.

K9 AGREEMENT

Mr. Agrafiotis stated he has provided council with the revised regulations and policies and he asked council to let him know if they have any comments. Rick has told him that in July the K9 unit will be on the street so we need to have the policies and regulations in place and a final memorandum of understanding with both the Union and the Officer handling the K9 so we don't run the risk of violating the Garcia Case.

INTERMUNICIPAL AGREEMENTS

Mr. Agrafiotis stated he has researched this again and he even took the extra step of bouncing it off of Shelly Hoak with the Borough's Association and there is just no way whether you are paying another municipality or you are exchanging services you can get around not having both sides do an ordinance authorizing the continued operation. A one shot deal you can probably slide through but if you are talking about a continued service then you have to have a detailed agreement. Mr. Melenyzer stated we discussed this once before and you thought you could do a generic ordinance but you can't do that as Tom has just explained. Ms. Evans asked what if we went once a month to another municipality provided a service invoiced them and that's it. Mr. Agrafiotis stated Shelly Hoak was under the impression that you still have to have an ordinance. Mr. Melenyzer stated with municipalities often times things aren't easy but we still can do them. Mr. Alfano stated so we have an agreement with Long Branch for police services and we'd have to do the same for any other services we'd provide to other municipalities is that correct. Mr. Melenyzer stated yes that is exactly right. Mr. Alfano stated so we have to cease all out of the borough sweeper operations immediately. Mr. Melenyzer stated unless you have the ordinance in place. Mr. Melenyzer asked if our insurance company is on notice that we are providing street sweeper services or sewer jetter services to other municipalities. Ms. Evans stated no. Mr. Melenyzer stated so you need an ordinance so everything is addressed and covered in there.

RESOLUTION 15-005

Mr. Agrafiotis stated he just met with Mr. Petro this week and reviewed the proposed schedule of fees for subdivision and plan reviews. He stated this resolution will amend the ordinance from 2002 and authorize us to amend the fee schedule for subdivision and land development. He read portions of the Resolution 15-005.

Motion by Glab/Difilippo to adopt Resolution 15-005 setting subdivision and plan review fees duly carried on a roll call vote with all members present voting yes.

Mr. Agrafiotis stated he will forward Ms. Evans a copy tomorrow.

INTERMUNICIPAL AGREEMENTS

Motion by Mariscotti/Difilippo to authorize the Solicitor to contact surrounding municipalities to explore inter-municipal services; sweeper, jetter, camera, etc. duly carried on a roll call vote with all members present voting yes.

Mr. Baker and Mr. Taday will supply the Solicitor with current municipalities that have used us for these services along with services provided and any other information needed to draw up the agreement.

BOROUGH MANAGER'S REPORT –MR. SULKOSKY

Mr. Sulkosky stated he provided information on to council on the sink hole situation on Knob Road. DEP and the Street department were called and it was taken care of.

POLICE AIR CARDS AND HOTSPOTS

Mr. Sulkosky stated he spoke to Chief to see if there is interest in this. Currently we have air cards in the vehicles but hotspots would allow them to use several electronic devices. We did a quote from Sprint and their fee for the hot spot was identical to what we are paying now for air cards. Mr. Sulkosky asked council if they have any questions on this. Mr. Glab stated whatever we choose we'll have to make sure the service coverage is there.

QUOTE – MIDDLETOWN TRACTOR

Mr. Sulkosky stated this is concerning the boom mower which was discussed at the last council meeting. He had Bull come out, who sold it to North Strabane Township originally and look at it and they stated it is probably not worth repairing the current mower that we have. He also spoke to Middletown Tractor and there is a quote in your packets from them. This is an attachment that would go on the current tractor that we have and this is somewhat smaller than what we currently have but it would be a 13.7' reach and this is the largest one they have. It would be a rear mounted attachment. Mr. Alfano stated so this would convert a piece of equipment that we already have. Mr. Sulkosky stated yes and the cost is \$21,477.66. If you are buying a new boom mower you're probably talking \$50,000.00. Mr. Alfano asked if this company was a costar vendor. Mr. Sulkosky stated yes they are. Mr. Mariscotti asked what mower this would go on. Mr. Taday stated the one that the sewage department has that they used to clean out the drying beds. Mr. Taday stated the boom is only 13' and if we got a mow overhead he doesn't think it will reach high enough to cut everything and then if you have a ditch that is 5' you are already 5' away plus the mower. It would be nice to clean along the road with that but if we have to cut trees above us it won't work. Our current boom mower now has a 21' reach with a 50" cutting head and this one has 39' cutting edge. Mr. Taday stated he spoke to Walsh Equipment and he has three mowers up there, Massie ferguson and they are \$112,000.00. He stated if we wanted one of these this year he wouldn't make payments begin until next year with a 5 year payment plan. He has a 22' reach tiger mower for \$112,000.00. Mr. Bittner asked how often would they use this equipment. Mr. Taday stated it would probably take us 2 to 2 1/5 weeks once but it depends on the growing season. Mr. Bittner stated he understands it is nice to have new equipment but when we spend over \$100,000.00 for five weeks and it sits for 47 weeks that is a tough to justify. Mr. Alfano stated it is an underutilized but it is a specialty piece of equipment. Mr. Bittner asked if we looked at renting one. Mr. Taday stated he talked to a couple of municipalities that have newer machines but they are too busy to help us. Mr. Bittner asked if there is a commercial person that can come out and do this there has to be. Mr. Taday stated yea he thinks you can rent them but you are talking probably \$10,000.00. Mr. Glab asked if we could have before the next meeting a list of all the equipment we bought through these plans, the annual lease terms, payments, and end of lease dates. Mr. Mariscotti stated we don't have leases on anything we have two payments for the sweeper and the dump truck. Ms. Evans stated one is

a five year lease and one is a three year lease. The sweeper is a five year payment plan and the dump is a three year. The dump truck payment is \$25,000.00 and the sweeper is \$38,000.00 divided between the sewer fund and general fund and we haven't made either of these payments yet this year. Mr. Taday stated and the guys need new weed whackers because they have been wearing them out the past two days. Mr. Alfano stated well we are still nowhere with this as we've been the last couple of months.

REQUEST OF PERSONNEL COMMITTEE

Mr. Sulkosky stated at the request of the personnel committee there is a lengthy document in all of your packets you can go through it. Some of this you were given before as the borough manager's report. There is also a new report. If council has any questions regarding the information he provided in this report he asked them to call him and he can answer those questions.

OLD BUSINESS

72 SECOND ST. – RUFFOLO PROPERTY

Mr. Agrafiotis stated he did attend the tax sale concerning the Ruffolo property at 72 Second Street and the judge agreed to stay the demolition lien which was \$8,000.00 and the grass and sewer liens will be divested. If the property does not sell and council wants to look into purchasing it we can petition the court or attend the sale but we'd have to pay the taxes on it. Mr. Agrafiotis stated next year it will come back on free and clear and they probably won't stay our lien twice.

COMPLETION OF STREET WORK

Mr. Difilippo asked Sam if he found out when the work on the streets will be completed. Sam stated he will check tomorrow and report back.

MEMORANDUM OF UNDERSTANDING – CASD AND POLICE DEPT.

Mr. Bittner stated in our packets there is a memorandum of understanding between the School district and the Police Department. He asked Chief Encapera if he signed off on this. Chief Encapera stated yes he did. Mr. Alfano asked why it wasn't on the agenda if it was something that needed acted on. Mr. Alfano asked if this was the School Resource Agreement. Ms. Evans stated it is not the school resource agreement. Mr. Encapera stated that is the same one every year they just change the dates on them. Mr. Alfano stated he thinks we should have the solicitor review it and put it on the agenda for next meeting. Mr. Melenyzer stated they would be glad to. Ms. Evans stated speaking of the School Resource Officer agreement we need to get moving on that before August also.

NEW BUSINESS

STORM WATER REVIEW FEES

Mr. Agrafiotis stated Ordinance 526 was adopted in March 2011 which was the uniform one done by the county. Article 14 under expenses says that Municipal review fees shall be established by the municipality to defray the review costs. It doesn't speak to a resolution so he feels it appropriate that council can just make a motion that establishes the Engineers current fee schedule as the schedule to be used for storm water review fees.

Motion by Difilippo/Glab pursuant to Ordinance 526 fees and expenses that the fee schedule for storm water ordinance reviews , plans and so forth will be the then current rate schedule for the municipal engineers duly carried on a roll call vote with all members present voting yes.

PENNATRONICS SITE PLAN REVIEW

Mr. Petro stated we have a site plan review for Pennatronics that is a 25,000 sq. ft. addition and a special exception was granted by the zoning hearing board for the addition. He stated the Planning Commission reviewed the site plan on June 2, 2015 and recommends Borough Council approve the site plan with no conditions. Mr. Petro stated at the time of the Planning Commission meeting we didn't know what was going to transpire as far as fee schedules that is why they approved it without any conditions. They knew council was going to address the fee schedule issue during their approval process. Basically we need a motion to approve the site plan as presented with the following conditions which are the developer pays the appropriate tap in fee as recommended by the Borough Engineers and the storm water management plan be

reviewed and approved by Widmer Engineer with the appropriate review fees to be paid by the developer pursuant to past practice that the plan be recorded within 15 days of this approval.

Motion by Glab/Gutosky to approve the site plan as presented with the following conditions which are the developer pays the appropriate tap in fee as recommended by the Borough Engineers and the storm water management plan be reviewed and approved by Widmer Engineer with the appropriate review fees to be paid by the developer pursuant to past practice that the plan be recorded within 15 days of this approval duly carried on a roll call vote with all members present voting yes.

ADVANCED DISPOSAL BILL

Mr. Difilippo stated this bill was not put on the monthly bills because we needed clarification from Doug as to whether they are trash or sludge dumpsters which we got tonight so we can pay this now.

Motion by Difilippo/Gutosky to pay Advanced Disposal invoice in the amount of \$363.04 duly carried on a roll call vote with all members present voting yes except Mr. Mariscotti who voted no.

FIRST ENERGY LETTER

Mr. Bittner stated he knows this is going through the insurance company but First Energy sent us a bill for that pole that was damaged. They are real fast at sending us an invoice and we've asked them to remove street lights in this town along Third Street that we've been paying \$15.00 a month for and some of this is our fault but he ask Mr. Tудay when we started asking this and Mr. Tудay stated since the beginning of this year. Mr. Bittner stated so it's been six or seven months and we've heard nothing. He wants a formal letter sent from this Borough tomorrow informing them that we want those lights down. If he knew this beforehand he would have voted no on their bills tonight. Mr. Sulkosky stated he questioned it and the insurance company questioned and they agreed to knock off a very very small portion of it. Mr. Bittner stated they are ridiculous.

Motion by Bittner/Difilippo to have a formal letter sent out to First Energy notifying them in writing that we request these street lights be taken down carried with all members present stating aye.

Ms. Evans asked who would be doing the letter the her, the solicitor, or the borough manager. Mr. Alfano stated Sam can do the letter.

STREET LIGHT DOWN AT THRID STREET EXTENSION

Mr. Glab asked where we are at in getting this fixed. Mr. Tудay stated he talked to A1 Electric and they are working with the insurance company. They got a phone call from the insurance company who wanted a bid with an itemized list not a lump sum figure. He stated we are out of it so it is now up to A1 Electric and the Insurance Company. Mr. Mariscotti asked which insurance company it was. Ms. Evans stated it was Nationwide. Ms. Evans stated Nationwide had closed the claim because no estimate was provided but once Sam submitted the invoice they would reopen it. Mr. Tудay stated it took A1 some time to get the specs. through Penndot. Mr. Sulkosky stated he spoke to Nationwide directly who told him they had closed the claim but would have to reopen it and he tried to pin them down on a timeline but they wouldn't commit to a certain time. Mr. Glab asked Sam to call Nationwide to see if they expedite this.

STREET LIGHT DOWN AT THIRD AND ASH

Mr. Bittner asked Mr. Tудay where we are at with the light on Third and Ash. Mr. Tудay stated as soon as council directs him to tell the contractor to go ahead and fix it. He said we can get A1 to do it or the company that provided us the quote. Mr. Bittner asked Jeff to get a price on this so we can act on this at the next meeting. Mr. Tудay stated okay.

Motion by Bittner/Glab to have Jeff get that street light replaced as long as it is within the amount of what received from the insurance company duly carried on a roll call vote with all members present voting yes.

PURCHASE NEW LOCKERS

Mr. Taday stated Officer Sheehan asked him to bring this up. They want to purchase a new evidence locker for the addition and right now they have a regular uniform locker that they are using. The new evidence locker he is suggesting will attach to the evidence room itself and can be accessed by the evidence officer only. So when any officer needs to submit something into evidence they can put it in any of these four lockers which will be open daily and then once they close it cannot be reopened until the evidence officer removes the evidence and logs it into the evidence room. Mr. Taday stated it would have to be put in now because you will have to cut the block and insert it in the wall. Mr. Glab asked if it is like a mailbox. Mr. Taday stated yes. Chief Encapera stated one way in and one way out. Ms. Evans stated the officers evidence lockers would be accessed from the hallway but the back of the lockers would be accessed from inside the locked evidence room. Mr. Taday stated the cost is \$2,200.00 plus the cost of installation. Chief Encapera stated it will maintain the integrity of the chain of command of the evidence.

Motion by Bittner/Difilippo to purchase evidence lockers at a cost for purchase and installation not to exceed \$3,500.00 duly carried on a roll call vote with all members present voting yes.

Mr. Taday stated he will get with Tim Sheehan and get it going.

GRADER

Mrs. Gutosky asked where we are at with the grader. Mr. Taday stated we will work on it first thing next week.

LIGHTS AT MECHANIC STREET PLAYGROUND

Mr. Alfano stated there are some light out at the playground and the basketball league will be staring soon. Mr. Taday stated he spoke with Mr. Anderson and gave him all the information he needs so he will find out and get back to him on that. Mr. Alfano stated as a point of information the Recreation Authority did get quotes to changing those lights to LED lights and they are about \$900.00 each.

RECOGNITION OF CITIZENS

JIM MADIEX

Mr. Maddiex stated on those handicap stall approved earlier. He had been in Charleroi and they were reserved signs but at the bottom there were attached little signs that said handicap.

Mr. Maddiex stated on the Wilson Road LSA joint application if he remembers correctly half the road is owned by California and the other half is West Brownsville. Depending on what West Brownsville wants to do there we may want to tweak our zoning there and he thinks it is currently R2. The water being put there will benefit West Brownsville more than it will benefit California because the California side is more hilly. He stated the Planning Commission will meet on June 30th.

DAN FOWKES

Mr. Fowkes stated when Mr. Mariscotti stated the street department was under normal operations that he would beg to differ. We were out weed whacking in place of the tiger and he doesn't think that is normal operations. He thinks we are dropping the ball on our equipment and we're not replacing it. The tiger isn't a new problem it is an old problem because this thing was taken off the road last year by the Mayor because it was unsafe and we had it up at Dezardo's being worked on. We've known it's had problems and even if you fix it you still have a 30 year old machine. We need a new machine. Us going out there weed whacking, and that is our job and we will do it, but it is the 20th century there has to be an easier way of doing it beside a John Deere tractor and two weed whackers. The truck, we need new equipment. He doesn't think the solution is running the 800 if something breaks. Jon's and his opinion will differ on this topic. His truck, Jeff's, is a 350 and it's not made to do the country. There is the truck that we just got fixed we're going to pay for it but not use it and like Jon said it hasn't been used in over four months. Mr. Fowkes stated if his truck or the one that Donny uses breaks this winter and you don't replace a truck you are going to beat Jeff's truck up. That is not made to go out in the country and do those roads because it's made for town or an alley. So your solution is to put a 800 truck from 1996 and two wheel drive to do your roads. Come on now that is a two wheel drive truck. Nobody on the borough crew has used that truck. Prior to that it was used to do the main drags. Heck he slid up and down Shutterly Street in his vehicle loaded with salt in four wheel drive.

He would hate to try and go up Shutterly in a two wheel drive and it probably has bad tires on it. The 800 is not the solution it's just a band aid for a bad snow storm. But it is not a long term solution. You need to open up the purse strings and get a new truck because if mine or Donny's goes down in a snow storm we'll be in bad shape. We need equipment and he doesn't know what the solution is on the grader but it is a necessary item for our job. We've discussed it and discussed it and we still don't have a solution and going out there with weed whackers is not a solution on 85-90 degree days. You got three guys along the road weed whacking and running a tractor then there is nothing else getting done in the borough. You guys need to figure it out. Mr. Fowkes spoke about the inspection fees and he's hoping Mr. Petro can enlighten him on this. His daughter just put in a swimming pool and the fee to the borough is approximately \$33.00. Now we're done with the borough with the fee and we get a zoning certificate for that. Now we go to McMillen Engineering for the building permit and inspections. Mr. Petro stated that is correct. Mr. Fowkes asked anyone on council to raise their hand if they have dealt with McMillen Engineering and their fees. Mr. Alfano stated he has because of his new office on the hill. Mr. Fowkes stated after the pool is completely installed is when the inspections began. He can only assume, because the ground has been leveled, the pool is installed and filled, they come up and inspect the electric which had to put in by a certified electrician and of course the homeowner also pays for that. So how long do you think it is going to take McMillen to come there and inspect that pool? Mr. Alfano stated about 10 to 15 minutes. Mr. Fowkes stated that is right and do you know what the fee is for that \$276.00. \$276.00 for a 10- 15 minutes inspection that is a chunk of change. Mr. Alfano asked if they did a rough in inspection. Mr. Fowkes stated they came up when it was done and boom boom boom done. Mr. Fowkes asked council if McMillen keeps all of that \$276.00. Mr. Alfano stated the borough gets a small percentage of that back. Mr. Fowkes stated he knows someone who closed in a 10 x 10 porch and he paid \$700.00 in inspection fees on that porch. It probably didn't cost him \$700.00 to enclose the darn porch. He thinks council controls who comes in here and does these inspections. He thinks it is a crying shame what's going on in this borough with inspections. They are outrageous and there is something going on. To him he thinks council let them in here and contracted them. Mr. Alfano stated we do not have a contract with them we signed nothing. They are by resolution our third party inspector. We approved their fee schedule but we are not bound to use them let's just say that. Mr. Fowkes stated so you can change that any time. He thinks you need to look at it and change it. Mr. Alfano stated who you gonna get. Mr. Fowkes stated he's going to run into the same problem because he's going to do some work at his house and he'll let council know just how much the fees are. Mr. Alfano stated all the fees charged by these companies are outrageous. Mr. Fowkes stated if you got them in here why don't you help dictate what the fees are maybe he's out of line here. They're making a killing in this town they come to my house inspect for 10 to 15 minutes and charge \$275.00 then they go down the road and do the same thing. The inspections they are performing do not justify the fees that they are charging. Mr. Alfano stated they carry the liability too because if something happens and somebody gets hurt by something they inspected they are on the hook for it. Mrs. Gutosky asked if there is city sewage there. Mr. Fowkes stated yes. Mrs. Gutosky stated you wait till she fills her pool and she has to pay sewage on that water to fill her pool. Mr. Tuday stated you can call the water company and tell them. Ms. Evans stated yes you can but it doesn't do you any good. The water company charges for the water which you did use and the sewage ordinance has no allowances for pool water. Ms. Evans stated she gets 10 to 20 calls every summer from people who are filling up there pool and don't want charged sewage on this water, but she tells them there is nothing she can do because there is no allowances for this in the ordinance.

Mr. Alfano asked council if they want to call an executive session or adjourn the meeting but they need to make up their mind. He asked where Mr. Encapera was.

Mr. Encapera entered the meeting at 9:15

Mr. Alfano stated we've been waiting two hours for this personnel report let's get to it. Mr. Encapera thanked council for being patient. Mr. Alfano asked Mr. Encapera if his report is going to deal with personnel issues that should be discussed in private and not in a public meeting. Mr. Encapera stated that would probably be a good idea.

EXECUTIVE SESSION

Motion by Encapera/Gutosky to go into executive session carried with everyone stating aye except Mr. Alfano and Mr. Mariscotti who stated nay and council went into executive session at 9:20 pm.

Council reconvened at 10:20 pm

Mr. Alfano stated the executive session was for personnel issues and they had some discussions with the Borough Manager and there are some issues that need worked out. Mr. Encapera thanked everyone for their patience and stated that they are all on the same team and working together to move forward.

ADJOURN

Motion by Gutosky/Encapera to adjourn carried with all members present stating aye