

Regular Meeting of California Borough Council, June 12, 2014, 6:30 pm

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

ATTENDANCE: Mr. Alfano, Mr. Bittner, Mr. Encapera, Mr. Glab, Mrs. Gutosky,

ABSENT: Mr. Difilippo, Mr. Mariscotti and Mayor Weld

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ADDITIONS OR CHANGES TO AGENDA

Mr. Agrafiotis added under his report – Dentino deed for Olympic Spa

Mr. Alfano stated the agenda is approved as typed and amended.

PUBLIC COMMENT

Mr. Maddiex stated the first is the Planning commission will meet on July 1st and the second is the solar power that he would like at least 2 or 3 more companies to talk to council before they make a decision.

MINUTES – REGULAR MEETING MAY 8, 2014

Motion by Gutosky/Glab to approve the minutes of the regular meeting of May 8, 2014 carried with all members present stating aye.

RECOGNITION – MR. ENCAPERA

Mr. Encapera presented Mr. D'Amico, the coach for the California Area High School Baseball Team, with a certificate of recognition for winning the WPIAL Class A Championship and for those of you who didn't know they have had a successful season and this is Mr. D'Amico's first year as coach.

Mr. Encapera stated we were prepared to also recognize Kailyn Clancy for her achievements in Track and Field but she is not present tonight.

Mr. Alfano stated we are going to do the Personnel Report first because Mr. Encapera has to leave for another engagement he has.

PERSONNEL – MR. ENCAPERA

HIRING OF OFFICERS

Motion by Encapera/ Jon Bittner to hire Tomas McCarthy as a full time police officer per the collective bargaining unit contract and pending a physical and background check duly carried on a roll call vote with all members present voting yes.

Mr. Agrafiotis stated there is already a memorandum of understanding for medical benefits in 90 days added as an addendum to the contract and this is the fifth full time officer.

Motion by Encapera/Bittner to hire Anthony Glab as a full time police officer per the collective bargaining unit contract and pending a physical and background check duly carried on a roll call vote with all members present voting yes except Mr. Glab who abstained.

Mr. Agrafiotis stated this will be the sixth full time officer and this had occurred once before and there is a memorandum of understanding that we will just have to update. He had discussed this with Mr. Bedillion who will sign that memorandum of understanding indicating that there will be no precedent set if we exceed the number of police officers as what is required in the contract.

Motion by Encapera/Glab to hire Garret Kurilko as par time police officer per the collective bargaining unit contract once he receives his MPOEC number, passing his physical and background check duly carried on a roll call vote with all members present voting yes.

BOROUGH MANAGER – 180 DAY PROBATION EXPIRES EFFECTIVE JULY 7, 2014

Motion by Encapera/Bittner to extend Mr. Buchanan's probationary period 90 days with the stipulation that July 7, 2014 he receives his raise and benefits duly carried with Mr. Bittner, Mr. Encapera, Mr. Glab, and Mrs. Gutosky voting yes and Mr. Alfano voting no.

Mr. Encapera left the meeting at 6:40 pm

SECRETARY'S REPORT – MS. EVANS

Ms. Evans read the accounts payable and account balances as of May 31, 2014

JUNIOR COUNCIL MEMBER – ANGEL FUNK

Nothing to report

PRESIDENT'S REPORT – MR. ALFANO

EXECUTIVE SESSIONS –

Mr. Alfano stated that the executive session held on May 8th and June 5th both dealt with police personnel issues part of which we hired three officers tonight and had one disciplinary action for an officer.

DYE TESTING

Mr. Alfano stated he would like council to consider implementing requiring dye tests for property transfers with a fee of \$75.00. He stated just about every municipality around here already has this procedure in place. He stated we thought everyone's storm water was separated from the sewer line but have found out that is not always the case so this may help us keep an eye on it.

Motion by Bittner/Gutosky to authorize the Solicitor to proceed on dye testing ordinance on the transfer of properties duly carried on a roll call vote with all members present voting yes.

Mr. Agrafiotis stated the Washington County Sewage council may have a model ordinance we can use to start and then tailor it to our needs. He will try to get a copy and forward it to council.

SOLAR POWER – MUNICIPAL BUILDINGS

Ken at CM Services sent information on possibly installing solar panels and he would like some form of approval to finalize the geothermal design. Mr. Morinville indicated they just opened the grant period and it will go fast. Mr. Alfano stated first off we will have additional expenditures to move forward. For CM Services to do the Geothermal System Study will be \$2,000.00 and for them to do the Geothermal System Design will be an additional \$2,000.00. Mr. Alfano stated he thought council was receptive to the idea of geothermal energy. Mr. Glab stated we need to explore these options and come up with a way to make these buildings green and with utility prices on the rise we need to explore ways to offset those costs and without exploring geothermal and solar we would be remiss in our duties.

Motion by Glab/Bittner to hire CM Services to do the geothermal study at \$2,000.00 and the geothermal design at \$2,000.00 duly carried on a roll call vote with all members present voting yes.

Motion by Bittner/Glab to have J. Morinville to pursue the DEP Solar Grant on behalf of the borough duly carried with all members present voting yes.

Mr. Agrafiotis asked if there is any monetary stipulations. Mr. Alfano stated no. Mr. Glab asked if we were going to instruct him to look at putting panels on the Street Dept. bldg. Mr. Alfano asked if we want him to look at all the municipal buildings. Mr. Glab stated he would like a study on all municipal buildings and obviously the new sewer plant isn't complete yet. Mr. Alfano explained for the public how the solar power can be pushed to the grid and then used on other municipal bldgs... Mr. Alfano stated he will have to check the tolerances and loads. Mr. Bittner stated it doesn't cost us anything for that so get a hold of Ken tomorrow and have him ask him to do that. Mr. Alfano told Mr. Leer to remind him to give him Mr. Morinville's contact information.

TRANSFER OF FUNDS – CM SERVICE INVOICE # 14-052

Motion by Bittner/Gutosky to transfer from the bond proceeds account to the general fund \$8,199.14 to pay CM Services invoice # 14-052 duly carried on a roll call vote with all members present voting yes

PUBLIC HOUSING REPORT – MR. GLAB CODE ENFORCEMENT UPDATE

Mr. Glab stated the Code enforcement/Zoning Office has started their summer group of inspections for the rental housing and that is going well. In addition to that they've been citing people for grass and other violations. Mr. Glab stated as you all know the grass should be kept shorter than 6" because we don't want to cite anybody.

RESIGNATION OF ZONING HEARING BOARD MEMBER

Mr. Glab stated at this time we have received a resignation letter from Mrs. Rose Urick from the Zoning Hearing Board and he thanked Mrs. Urick for serving on that board.

Motion by Glab/Bittner to accept the resignation of Mrs. Rose Urick from the Zoning Hearing Board duly carried on a roll call vote with all members present voting yes.

Motion by Glab/Gutosky to appoint the alternate member John UHaul as a regular member to the Zoning Hearing Board to fill the remaining term of Mrs. Urick expiring July 31, 2014 duly carried on a roll call vote with all members present voting yes.

Motion by Glab/Gutosky to appoint John Uhaul to a full term on the Zoning Hearing Board to expire on July 31, 2017 duly carried on a roll call vote with all members present voting yes.

Mr. Glab announced that there is a vacancy for an alternate member on the zoning hearing board and if anyone is interested in serving please drop a letter indicating their interest.

694 HIGH STREET

Mr. Glab stated he is not ready to discuss this issue so he will table it. Mr. Agrafiotis asked him if he is making a motion to table it or just not taking action. Mr. Glab stated he is not taking action at this point.

HANDICAP STALLS IN FRONT OF THE FORMER OSPTA BUILDING

Mr. Glab stated the OSPTA has moved from Wood Street to Third Street so the handicap stalls installed on Wood Street are not needed and they have a parking area on the Third Street location.

Motion by Glab/Gutosky to remove the two handicap stalls in front of the former OSPTA building on Wood Street and replace them with regular meeting parking carried with all members present stating aye.

VITCHOFF SUBDIVISION #3

Mr. Glab stated this subdivision has been reviewed.

Motion by Glab to approve the Vitchoff subdivision #3 as long as he meets the one condition reflected in Fayette Engineering's letter dated July 11, 2014 and the Solicitor's recommendation that the County gives a favorable review duly carried on a roll call vote with all members present voting yes.

Mr. Weld came into the meeting at 6:55 pm

GRASS & SNOW ORDINANCES

Motion by Glab/ Bittner to authorize the Solicitor to update the Grass & Snow removal Ordinances and reflect the new conditions that were discussed duly carried on a roll call vote with all members present voting yes.

PUBLIC SAFETY – MR. MARISCOTTI

Mr. Alfano stated that Mr. Mariscotti is absent tonight but he wanted to thank the Street department for installing the new scoreboard at the Mechanic Street courts. The Bud Grebb mens and women's summer league will be starting in a week or so.

BIDS – SKYLINE DRIVE AND ELLSWORTH

Mr. Alfano stated the bids will be due by July 17th so we will have to extend this meeting to award those bids at a later date.

BIDS – DOWNTOWN PEACH ALLEY RESTORATION

In addition we will have the downtown bids opened on the 24th so we can extend this meeting to award both of those bids. Council chose to continue this meeting until June 30th to award the bids of these projects.

Motion by Bittner/Glab to continue this meeting until June 30th at 6:00 pm duly carried with all members present stating aye.

CHANGE JULY'S COMMITTEE MEETING

Motion by Bittner/Gutosky to change and advertise our July's committee meeting to be held on June 30, 2014 at 6:30 pm duly carried on a roll call vote with all members present voting yes.

PUBLIC SAFETY – MR. BITTNER

CLASSES ON INTERVIEWING JUVENILES

Motion by Bittner/Gutosky to authorize 3 officers to attend a class on interviewing juveniles on July 11th to be paid straight time only duly carried on a roll call vote with all members present voting yes.

FIRE DEPARTMENT – RESOLUTION OF SUPPORT

Mr. Bittner stated the fire hall was pursuing purchasing some things through the government surplus program but realized they do not have a 5013C status so they need a resolution and he asked Mr. Agrafiotis to do that. Mr. Agrafiotis read the resolution aloud.

Motion by Bittner/Glab to adopt resolution 14-004 duly carried on a roll call vote with all members present voting yes.

WINDOW CLEANING – MUNICIPAL BUILDING

Motion by Bittner/Glab to hire Renee Gerlachovsky for window cleaning service at \$350.00 for the initial cleaning and then \$200.00 per month for the exterior and \$300.00 on alternating months for exterior and interior duly carried on a roll call vote with all members present voting yes.

Mr. Glab asked if that was the winter months or just summer. Mr. Alfano stated he just puts antifreeze in the cleaning solution. Mr. Alfano stated he will take two or three times to get the heavy stuff off and then we can modify later if we need to since there is no contract.

PURCHASE FOLDING TABLES

Motion by Bittner/Glab to purchase four folding tables for use in council chambers at a price not to exceed \$400.00 duly carried on a roll call vote with all members present voting yes.

BOND AMOUNT SET FOR BOROUGH MANAGER

Mr. Bittner stated Ordinance 512 requires council to set the bond amount of the borough manager and then he finds a bonding company and then the borough pays the bill just like the tax collector's requirements. He asked council what they want that amount to be. Mr. Alfano asked what are other borough managers bonded for? Mr. Agrafiotis stated it wouldn't need to be as much as the Treasurer. Mr. Alfano stated that we will check into that and see what others do and will address it at the continued meeting.

FINANCE – MRS. GUTOSKY

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

PUBLIC HEALTH – MR. DIFILIPPO

In Mr. Difilippo's absence Mr. Alfano read his agenda items

Motion by Bittner/Gutosky to pay Fayette Engineering's invoice # 23019 for the Peach Alley inspections in the amount of \$8,252.84 duly carried on a roll call vote with all members present voting yes.

Motion by Bittner/Gutosky to pay Fayette Engineering's invoice # 23021 for the GIS Project in the amount of \$4,135.00 duly carried on a roll call vote with all members present voting yes.

Mr. Leer stated he wants to get it into the borough staff's hands and let them get familiar with it and learning to navigate through it. Mr. Glab asked if part of their fee is a tutorial and possibly a class to show the borough employees how to use it. Mr. Leer stated yes.

Motion by Bittner/Glab to authorize waiving the late fees on sewer account #1195 for 243 Hillcrest Drive in the amount of \$8,926.23 duly carried on a roll call vote with all members present voting yes.

MAYOR'S REPORT – MR. WELD

Nothing to report

ENGINEER'S REPORT – MR. LEER

SEWER PLANT UPDATE

Mr. Leer stated the sewer plant is going well he's been speaking with the First Energy people and hopefully this will be put to bed soon. He asked if the agreement with the water company was executed and paid. Ms. Evans stated yes it is. He stated that he gave a tour to some of the council members on Saturday and he hoped they are seeing the progress and enjoyed the tour. He has been working with the contractor for a completion date but does not have that information tonight.

PAYMENT REQUEST

Motion by Gutosky/Glab to pay Mele & Mele & Sons their estimate #10 in the amount of \$222,550.12 duly carried on a roll call vote with all members present voting yes.

PEACH ALLEY PROJECT

Mr. Leer stated it continues. The contractor continues to work as weather permits. The trench pavement has been completed on all streets except Peach Alley.

PAYMENT REQUEST

Mr. Leer stated that estimate #5 in the amount of \$95,606.58 and he recommends that be paid. Mr. Leer stated the change orders are not included in there because council has to go over those. Mr. Alfano stated but this amount will put us over the contract amount. Mr. Leer stated but he quantities listed in there are estimated and we have seen some of these change. Mr. Alfano asked for a motion to pay Bella Enterprise \$95,606.58 for their estimate #5. Mr. Alfano asked once, twice and a third time. No motion.

CHANGE ORDERS #2 -6

Mr. Leer stated there is a rather lengthy review of these change orders and council was given those this afternoon to look over. He reviewed the information he gave to council. Ms. Evans asked for an electronic copy to include in the minutes.

Motion by Gutosky/Bittner to approve payment of \$8,186.31 to Bella Enterprise for change orders #2 - #6 per Fayette Engineering's summarization and recommendation dated June 11, 2014 duly carried with Mrs. Gutosky, Mr. Alfano, Mr. Bittner voting yes and Mr. Glab voting no.

Mr. Bittner asked if the contractor has seen Fayette Engineering's recommendation letter dated June 11, 2014. Mr. Leer stated no they have not. Mr. Bittner stated they have submitted their requests should we then submit our response to them and get their reaction and see if they come back with a better price or something different. Mr. Leer stated that is council's decision but these have been discussed several times and there were no negotiations pursued so it is his

recommendation that council take action on it and if they have objections to it they can certainly let us know. Ms. Evans asked for an electronic copy to include in the minutes.

Mr. Leer suggested to council to have a contingency plan moving forward with the remaining pipework which has been referred to as side projects due to the plethora of unforeseen conditions that we've experienced on this project and the very unique way some of these are connected throughout the borough. Bella has indicated to him verbally their desire to do the work but we all want to get this project done and we need to have a contingency plan in case the contractor does not want to do this work or can't get us a schedule that shows the work in a satisfactory manner we need to have a plan ready to implement. So it is his recommendation that if we don't have this information with a schedule that is acceptable to the engineer and council for completion of the work by next Wednesday's meeting that council will authorize re-bidding the "side projects" out and awarding them to other contractors so we can get this project completed prior to the start of school. Mr. Alfano asked if everyone is in agreement with that.

Motion by Bittner/Gutosky to get a work schedule and confirmation from Bella Enterprise that they will complete the Peach Alley sewer project by Wednesday's construction meeting and if not have a contingency plan including authorizing the engineer to bid and advertise the project duly carried on a roll call vote with all members present voting yes.

EAST ALLEY PROJECT

Mr. Leer stated the only reason he left this in the engineer's report is that he will be working with the borough employees to get the letters sent out to the property owners in violation.

MISCELLANEOUS PROJECT HIGHPOINT WATER & SEWER

Mr. Leer stated we had a meeting with Senator Solobay, Pennsylvania American Water, Representatives of West Pike Run and our Borough officials to discuss funding to help move this project forward. He asked council what is the next step. From an engineering standpoint we need to revisit and review Pennsylvania American routes to make sure it still works and possibly go through a turn pike right away to make it easier to facilitate services to the toll booth. Before they can do any further investigation they would need council's authorization. Mr. Alfano stated the borough manager has been instrumental in that. Long Branch borough is a major link in this project so hopefully we can talk to them and get them on board. He asked council if they want to authorize the borough engineer to proceed on planning & engineering to draw up this project and take it a step further which will take sewer lines up to Highpoint Drive and to the turnpike. Mr. Agrafiotis asked if a quote had been submitted. Mr. Leer stated no. Mr. Agrafiotis stated then council would have to put a cap on it if they made a motion. Mr. Leer stated what they can do is pull together a scope of work and proposal for the continued meeting on June 30th and submit it for consideration and authorization at that point. Mr. Bittner stated personally before we spend any money the turnpike was going to let us know if they are interested and we have to see if the citizens of Long Branch are interested. He would like to see all the surveys of interest so he can see how much interest is out there before we expend any money. Mr. Alfano asked how we can accomplish that. Mr. Bittner stated Mr. Solobay was going to speak to the turnpike about their interest so we can contact him for the results of that and Long Branch Borough council is not interested in doing it then we make the citizens there aware of our interest and however they handle it at least we'll know. Mr. Buchanan stated as a point of information at the meeting there were very specific guidelines laid out at the end of that meeting who was going to carry out specific tasks; PAWC was looking at going under 43, Mr. Solobay was meeting next week with the penndot people in Harrisburg about what their amount was plus the additional uppage being it is 12 years old. Everyone laid out what they were going to do PAWC said they would do the surveys for Long Branch and West Pike Run Borough to see if everyone is interested. So everyone is left there knowing what specifically they had to do so he concurs that everyone needs to complete all their work submit the information back to us before we spend any money on this. A lot of what we may ask our engineers to do the professional engineers at PAWC and the Senator's office are already realigning and reviewing the site.

WEST PIKE RUN SEWER

Mr. Leer stated the same issue with West Pike Run, Daisytown, Ventura Street. Mr. Glab had asked him how that was coming however; Fayette Engineering has never received anything authorizing them to do a formal study and wanted to make council aware of that.

BLIGHTED PROPERTY INSPECTIONS

Mr. Leer stated that the remaining properties are scheduled to be inspected this Saturday.

TECHNOLOGY DRIVE

Mr. Alfano stated that he received a call from Kerry Fox today and they have been getting a lot of heat from the tenants along Technology Drive about the condition of the road and he and Bob Giffin will be here about 10:30 on Wednesday following the construction meeting. He thinks they want us to initiate part of our commitment as far as doing the engineering he's not sure if they are doing the engineering and we're paying for it. He'll have to review the grants, we got a \$200,000.00 from LSA, but hopefully we can get some money from ARC to do that reconstruction of that road surface plus the money we committed. We will have to look at the particulars on that project.

FIRST ENERGY RIGHT OF WAY AGREEMENT

Mr. Agrafiotis stated we had a right of way with First Energy and we were working with Bill and First Energy had us over a barrel a little bit and we agreed to revise the agreement. Now he understands they want it revised again. Mr. Leer stated that he understand that they sent an email that he believes was forwarded to the Solicitor's that requested 3 things that Bill was supposed to have handled before he left. He though he addressed them all but after receiving the email he got today we're back to square one the May 1st email. Mr. Agrafiotis asked that he get a copy of that email.

GEORGE FRANK –KNOB ROAD

Mr. Agrafiotis asked Mr. Leer if he inherited Bill's files on the George Frank issue on Knob Road because Bill was supposed to forward some information to him. Mr. Leer stated he will look and let the Solicitor know.

SOLICITOR'S REPORT

ORDINANCE 544

Mr. Agrafiotis passed out to council a draft copy of the Ordinance 544 which would adopt the 2012 ICC Property Maintenance Codes and any amendments to that 2012 code. Right now we are working under the 2003 edition. It would be a good idea to advertise this ordinance and adopt this updated code. Mr. Bittner asked if we could put language in there that it automatically updates when the new codes are implemented. Mr. Agrafiotis stated he put in there "and any amendments thereto" but Mr. Melenzyer feels that may not be sufficient.

Motion by Bittner/Gutosky to authorize advertising Ordinance #544 for adoption at the next meeting duly carried on a roll call vote with all members present voting yes.

ORDINANCE 545

Mr. Agrafiotis stated he also has a rough draft of Ordinance 545 because he and Chip were talking about updating the Towing Ordinance and he's forwarded this around to everyone to see what everyone else wants to do with this but the crux of this ordinance amends section 9 of the current ordinance pretty much doubles the amount of the liability which would go from a minimum of \$300,000.00 to \$600,000.00 and doubling the property damage insurance from \$150,000.00 to \$300,000.00. We were also tossing around adding a section about naming the borough as the official insured and having us notified if there are any changes in the liability policy covering the towing outfit. The other policy discussed was changing it from just having the towing list from the police from being just any borough resident to any resident of the borough or abutting the municipality holding a valid salvage license and other criteria. Chip and I can email it around it everyone and he asked that council let him know if they want any changes made.

DEMOLITION OF 72 SECOND ST.

Mr. Agrafiotis stated at the May's regular meeting we awarded the bid to Britton & Sons to demolish 72 Second St. However, we have a dispute with them over a prior invoice for this property and they did provide an amended detailed invoice that came in a little less. In addition the ad we didn't have demolition specs. The specs we had were outdated and were not provided to the bidders so technically they would have had no specs to follow they could back fill however they wanted. Mr. Kratzer and Mr. Petro worked together to have new demolition specs which were given to him tonight so he would advise council, in light of this dispute to first rescind the motion awarding the demolition of 72 Second St. to Britton & Sons and then

secondly to reject all bids received and the third would be a motion to re-advertise the project with bid specs. Mr. Alfano stated he doesn't want to speak for Mr. Britton but he thinks he is pretty adamant about the cost for mobilizing his equipment the first time that we authorized as a borough and he's just wondering what monies we would expend to litigate this as opposed to just paying him. Mr. Agrafiotis stated he did have a frank discussion with Mr. Britton and he did come down \$600.00 but that is up to council if they want to pay that amount or not. Mr. Alfano asked what the amounts of the other bids were. Mr. Agrafiotis stated Britton & Sons were \$4,498.00, Doctorick was \$6,500.00 and McNaab was \$6,400.00. Mr. Alfano stated say we would award him the demolition bid he wants the \$2,900.00 in addition to the \$4,498.00. Mr. Agrafiotis stated he understand that he wants paid for the outstanding invoice before he does anything. Mr. Agrafiotis stated even if with that is resolved there were no demolition specs for this project.

Motion by Bittner/Glab to rescind the motion awarding the demolition of 72 Second St. to Britton & Sons duly carried with all members present voting yes.

Mr. Alfano stated we should as a note that there were no demolition specs for this project.

Motion by Bittner/Glab to reject all bids received for the demolition of 72 Second St, duly carried with all members present voting yes.

Motion by Glab/Bittner to re-advertise the bid for the demolition of 72 Second St. duly carried on a roll call vote with all members present voting yes

Mr. Agrafiotis stated please note that Mr. Petro included in a provision in the bid specs that the work has to be commenced in 30 days or it goes to the next lowest responsible bidder. Also you may want to resolve the dispute with Mr. Britton in case he is the lowest bidder again that is going to create a problem. Mr. Glab stated on the motion to advertise they should be due by the next regular meeting.

OLYMPIC SPA DEMOLITION – ENCROACHMENT

Mr. Agrafiotis stated there is an issue with demolishing the Olympic spa and that is Mr. Dentino is encroaching on the borough's property by a little over a foot. In discussions with him he has an outstanding sanitary sewer easement as well. Mr. Leer stated yes that is correct. Mr. Agrafiotis stated Fayette Engineering is handling those easements. Mr. Agrafiotis also stated that he understands that Mr. Dentino will sign the sanitary sewer easement if we deed him that one foot of property and then we wouldn't have to condemn his property. It is up to council what they want to do. Mr. Alfano asked council if they want the solicitor to draw up a deed giving Mr. Dentino that one foot per the drawing provided by Fayette Engineering. Ms. Evans asked if that would have to be subdivided. Mr. Alfano asked if Mr. Dentino has signed the easement yet. Mr. Buchanan stated it is sitting down on his desk and as soon as council does what he asks then he can go down and pick it up tomorrow. Ms. Evans asked if it would have to be subdivided prior to deeding it over. Mr. Agrafiotis stated yes probably which is why he was suggesting an easement not a deed because he's not sure it's worth it. Mr. Agrafiotis asked Mr. Buchanan if Mr. Dentino would accept an easement. Mr. Buchanan stated that he would be curious as to why the borough would hold on to a foot of property they've done without for all these years. Mr. Agrafiotis stated the problem is we'll have to subdivide the property to give him that one foot. Mr. Glab stated if Mr. Dentino is willing to pay the fees for the subdivision then he doesn't have a problem with it. Mr. Alfano stated that is not going to happen and he thinks it is better if we just do the subdivision and give it to him. Mr. Leer stated the other issue is the sewer configuration and asked Mr. Bittner if that has been resolved yet. Mr. Bittner stated that won't be resolved until the building comes down and that basement gets cleared out and we can see where it exactly comes out at. Mr. Leer stated we will have to find a way to get them reconnected to the sanitary sewer lines because it is his understanding that there is a crisscross connection in several of those buildings. Mr. Bittner stated he understood that they are willing to do a little excavation there to help us determine what exactly is going on with those lines. Mr. Alfano stated then we'll have to decide if is more prudent to run it outside along that building or cut through the floor in that building and run it. Mr. Agrafiotis stated it doesn't matter to him whether they deed it or easement it but like Shirley said there is some cost to subdividing it.

Motion by Bittner/Gutosky to deed that portion of property at Third & Wood St. that Mr. Dentino is encroaching on over to Mr. Dentino and take whatever action necessary to do that

providing Mr. Denttino signs and returns the right of way easement for the Peach Alley project duly carried on a roll call vote with all members present voting yes.

Mr. Bittner stated he would like the public to know that every Wednesday we've been having meeting on this Peach alley project and it just keeps going on and on and on and we need to bring this to a finalization at some point of time and we're going to have to do something that may not like the taste of but we're in it and we need to get out of it so we have to do what is right by the project to get it finished. We're trying to spend the least amount of borough funds to get it done but we want it to be correct so we don't have to do it again.

Mr. Petro stated he spoke with Mr. Tудay and we can have the demolition bids done so they can be opened at the Continued meeting on the 30th.

DESIGNATED CODE OFFICIAL

Mr. Agrafiotis stated at the last meeting it was discussed that Mr. Kratzer had attended a seminar and it was his understanding that you had to have a written contract with a third party inspection agency particularly the building code official and it is required that the building code official designated by the borough and listed on the website of Labor & Industry. Mr. Agrafiotis stated he talked to the instructor who indicated this and he feels that the Department of Labor & Industry feels that you should have a written contract but a lot of municipalities feel that an oral contract is just as good. With that said we do have a contract from McMillen but it needs revised to be more beneficial to the borough and if council wishes he can take a look at that. He thinks we are fine as we are with just a verbal contract. As far as the building code official it does need to be designated by the borough and listed with the Dept. of Labor & Industry. He spoke to them today and our guy Zach Snyder has been designated by the borough and he assumes he has because he's listed on their website. Mr. Alfano asked Mr. Agrafiotis to look into that contract. Mr. Agrafiotis stated if that is council's wishes. Mr. Bittner stated you are on record tonight stating that we feel our current situation will suffice. Mr. Alfano stated didn't we make a motion to continue our relationship with McMillen. Mr. Bittner stated as of right now we have a legal opinion given by our Solicitor that we are okay right where we are.

BOROUGH MANGER'S REPORT – MR. BUCHANAN

BORUGH AFFAIRS MONTHLY SUMMARY

Mr. Buchanan stated as previously mentioned Senator Solobay. A senior member of his staff, Members of the Dept. of Transportation Staff, and several highly placed senior water company officials who came from as far away as Harrisburg and Hershey and New Jersey. Every skilled person who needed to be in the group to make a decision was there. He just wants to let all the people at home know that Senator Solobay is really going to task on this for us. He came and spent a considerable amount of time and had a very nice plan laid out in his report. He wants to thank the Senator's office, the Dept. of Transportation and members of the Water company for being here.

Mr. Buchanan stated that Mackin Engineering was here and they are working on the Comprehensive plan update and updating the Zoning Ordinance the borough so there are a lot of things going on in the borough right now.

Mr. Buchanan stated that a recent E-Gov. meeting went exceptionally well and everyone seemed to be very pleased. In fact the Mid Mon Valley Inter Governmental Cooperative is looking at a special event to pull all the Mon Valley boroughs, organization and townships together.

ARMSTRONG PHONE CONTRACT

Mr. Buchanan stated we would like to move our phone system, not the Advent system we have for the physical phones but the phone service from who we currently have now over to Armstrong. Mr. Buchanan stated that will be a cost of \$325.95 a month which includes 1500 minutes per month which would save us about \$400.00 in pay calls a month. We had them come out and test check the system and Armstrong Cable came out and he and Mr. Bittner reviewed all the contract information and now it is before council. Mr. Alfano stated how many lines is that? Mr. Buchanan stated there are 13 lines plus the Emergency Management Coordinator's line. Mr. Alfano stated okay so there are 14 lines at a monthly cost of \$329.90 per month. Mr. Glab asked if that was the total for all the lines. Mr. Buchanan stated the other thing is if we find that the individual dial up line is causing us some exceptional amount for \$8.00 and there seems to be

one main line that everything comes in on so if we have issue we can move that over to another line for \$8.00 so we'll evaluate for the first month and see if we need any additional lines. Mr. Bittner stated that includes call waiting and everything is that correct. Mr. Buchanan stated we will have caller id. Ms. Evans stated so this will eliminate both carrier bills that we currently get. Mr. Buchanan stated that is correct because everything will go through Armstrong. We know some other people in this community who use the Advent system who also switched from Verizon to Armstrong and they are very pleased with the outcome. Mr. Alfano stated another point for the public's knowledge since this is fiber optic the phone system is IP Voice over and we can do a lot more things with this phone service if we choose to do that just because we didn't have the fiber optic before. Mr. Agrafiotis asked if there is a current contract with our current provider. Mr. Bittner stated Armstrong will take care of canceling our current carrier and switching everything over within 10 days. Mr. Buchanan stated in the contract we have what the monthly fee will be \$329.90 with a one-time installation fee of \$0 so they've waived all the installation fees. Ms. Evans asked if there is a contract for Armstrong. Mr. Buchanan stated yes it is 36 months beginning June 2014 however we would be able to cancel with a 60 day notice. Mr. Buchanan stated he had Advent come out and verify that everything will work through the switchover. Mr. Glab asked Doug if each of our lift station has phones and will those switch or will they stay with our current provider. Mr. Baker stated they were actually looking at a different system once the new plant is finished. Mr. Glab stated his concern is if we are going to cancel the line. Mr. Buchanan recited a list of phone numbers none of which were the pump stations. Ms. Evans stated the pump stations received separate bills for each line. Mr. Alfano asked if council wants to enter into this contract with Armstrong.

Motion by Bittner/Glab to enter into agreement with Armstrong Cable company for phone service at a cost of \$329.95 per month duly carried on a roll call vote with all members present voting yes.

Mr. Buchanan stated we are starting Phase II of the budget review for each department of the general fund. He's doing a five year analysis using the national recognized standards and looking to see if these practices have been applied at the time the budgets were made at what they might have been and what they've turned out to be.

The DCNR paperwork for the grant is done and he started sending out for payment requests and doing those sorts of things.

He wants to thank everyone for grass cutting.

Mr. Buchanan stated he would like to discuss the Pike Run Park project. We have a lot of organization and groups now that are approaching us to hold events down there that involve trout stocking. They would pay for approximately 600 various size trout to be stocked down there based on the size of the children. They would have their picnic and once their event ended it would be opened up to the public. One of the problems down there is once we cut everything down it really worked out down there but the Chinese water grass is pervasive and persistent and we're having trouble keeping on top of it. He feels that adding that to Mr. Taday's plate would be overwhelming. He is asking council to entertain the fact that in order to maintain that area and waterways we need to participate a little bit more. That would be possible by bringing on somebody for 8 or 10 hours a week or finding an individual who's company is properly insured to work approximately 10 hours a week until the month of September with an hourly rate not to exceed \$20.00 per hour and they would use their equipment, their fuel, etc. Beginning June 21st Phase II will begin which is the other side and June 28th is going to be where we go in and get it planted and try to get the water choked out with proper grasses. If we're going to do that he would like to see it maintained through the end of the summer. As everyone knows you see people down there all the time. He thinks it is our window to the outer world and he envisions it with a couple of benches or something like that he thinks is important. Mr. Alfano asked if we have someone in mind to do this work or are we going to bid it. Mr. Buchanan stated that the total amount wouldn't require bidding because it is only going to be through September but he does have a couple people who have been doing some work in the area who would be willing to do that at that rate. Mr. Alfano asked if the Union would be okay with that. Mr. Taday stated he will have to check. Ms. Evans asked if they will be an employee. Mr. Alfano stated no they would be a contractor. Mrs. Gutosky stated how many would we hire. Mr. Buchanan stated it could be any individual and having someone down there with a brush cutter and once it is down we would be able to maintain it more effectively. Mr. Alfano asked council what their wishes are

do they want to hire someone who has their own equipment and work about 10 hours a week. Mr. Agrafiotis asked if he has any written quotes or anything and we'd have to okay through the union. Mr. Buchanan stated 5 corporations have already approached us about stocking our trout stream and we talked to Advanced about it today so we have 6 corporation standing in line waiting to stock our trout stream to make us extremely well known to people like Dick Sporting Good, Orbis and once we get that cleared out and people start coming through then these companies will come in a volunteer their time with excavators and all that. Mr. Glab asked if he has an outline of the area that he would like cut. Mr. Alfano stated pretty much what has already been done. Mr. Buchanan stated it runs back to the second water fall where the two stepping stone area and around the right corner up to Ghooray's property and no further. We are also looking at clearing the other side because it is beautiful and flat and we could put some picnic tables in there and things. Even if we are using some man power from the borough having an extra person there specifically to do that would help greatly and is fiscally the most sound way to do that. Mr. Glab asked if this is something that should fall under the recreation authority. Mr. Alfano stated he thinks they discussed this too but he doesn't know how much money there is and the money they have accumulated is designated the DCNR project so there is not a whole lot of money to go around.

Mr. Alfano asked Mr. Buchanan to give a quick rundown of their meeting with Advanced Disposal so the public knows at least we're trying to address any issues they are having. Mr. Buchanan stated one of the three senior officials came down from the Latrobe area to discuss some issues regarding some of the smaller persistent pervasive areas where we're making sure recycling is being picked up and discussed some of the local businesses who have special needs. We went around and looked at a couple of areas where there are persistent problems and those are being evaluated to see if they have anything to do with the route sheets and how things are laid out. We also discussed the fact that we are ready to move forward with the "Recycling blue is what we do" program. We believe that the meeting went very well and he expects all the issues to be resolved in a short period of time.

OLD BUSINESS

Mr. Alfano stated we had a motion that was made by council previously when Mr. Buchanan was hired that his health benefits would be effective March 21st when his cobra benefits ran out. He would like council to approving reimbursement to Mr. Buchanan for health costs that he paid out of pocket from March 21st through April 30th and the amount not to exceed \$1,490.32. He doesn't know exactly what the rate was so he used \$1,100.00 per month for the health care cost. Ms. Evans asked why we would reimburse him our cost and not his cost. Mr. Buchanan stated he had additional expenses including \$200.00 for repertory care and what is the borough's policy if someone for example is covered someplace else for health insurance. Mr. Alfano stated you mean if they are covered under their spouse. Mr. Buchanan stated yes how is that covered. Mr. Alfano stated they get reimbursed some amount from us. Ms. Evans stated she doesn't recall that anywhere. Mr. Alfano stated he thought that was the case in the past. Ms. Evans stated Joyce never received anything and she was on her husband's insurance forever. Mr. Alfano stated he's pretty sure that was the case for other borough employees who didn't use our health plan because they had it from somewhere else. Ms. Evans asked if there is anything in writing anywhere. Mr. Alfano stated the borough already passed a motion that we would add Tim Buchanan to be eligible for health benefits until March 21st and we didn't do it so he is asking for reimbursement of \$1,490.32. Mr. Glab asked if that is per month. Mr. Alfano stated that is the total from March 21st through April 30th. Mr. Alfano asked council what their wishes are. Mr. Alfano stated there is already a motion for public record. Mr. Glab stated if we have a motion why not just do it. Mr. Alfano stated just to approve the payment. Mr. Weld asked if we do it for him then we have to do it for everybody. Mr. Alfano stated that was a condition of his hiring. Mr. Alfano stated okay we don't have to do anything except cut him a check for \$1,490.32. Ms. Evans stated somebody needs to make a motion to spend that amount of money. Mr. Agrafiotis asked if it was on the list of bills. Mrs. Evans stated no it was not submitted. Mr. Alfano stated okay the Vice President isn't here who's next. He stepped down and asked Mr. Bittner to take the chair. Mr. Glab asked if we pay \$1,115.00 and some change how did we come up with \$1,490.32. Mr. Alfano handed Mr. Glab a print out of the breakdown of that figure. Mr. Alfano stated we spend hundreds of thousands of dollars and don't even blink an eye and we're going to quiver over health care for a good employee.

Motion by Alfano/Glab to reimburse Mr. Buchanan \$1,490.32 for health care cost out of his pocket duly carried on a roll call vote with Mr. Glab, Mrs. Gutosky, and Mr. Alfano voting yes and Mr. Bittner voting no.

Mr. Bittner turned the Chair back over to Mr. Alfano

Mr. Alfano stated he gave Mr. Agrafiotis a sample of an employment contract similar to other borough managers. One of the conditions of Mr. Buchanan's hiring was that he would have a memorandum of understanding and we would like to get this completed.

NEW BUSINESS

LINDY PAVING

Mr. Alfano stated that he received a letter from Lindy Paving and they are doing the Washington county job on SR Route 88 in California Borough. This PennDOT project will commence on June 16th and last through November 2014. There will be 24 miles of Milling, Paving, Draining Repair, Base Repair, and miscellaneous repairs.

HOTEL CONSTRUCTION

Mr. Alfano asked if we have any update on the hotel construction. Mr. Alfano stated he spoke to Kerry Fox briefly about this today and he indicated that they are proceeding. Mr. Alfano stated he hasn't seen anything happening in two months and they are supposed to be opening in the fall and he doesn't think they are going to make it.

UPDATE ON DEMOLITION OF SPA

Mr. Glab asked if there is a start date on the Olympic Spa. Mr. Alfano stated initially June 14th but the reason they've not been mobilized yet is because the County required a \$5,000,000.00 liability policy because typically it is \$1,000,000.00 policy.

RECOGNITION OF CITIZENS

JIM MADDIEX

Mr. Maddiex asked when they are going to start the lights along Third Street through the Community Development Block Grant because it's been a while. Mr. Alfano stated that is a good question.

ROTARY PARK

Mr. Maddiex asked when are they starting the Rotary Park through the Community Development Block Grant. Mr. Alfano stated he thinks that since we had to commit future money to the demolition project and to the reconstruction of Technology Drive that is probably on hold he'd say.

DYE TESTING

Mr. Maddiex asked council if they would add properties that apply for Change of Use to the Dye Testing Ordinance.

COMPREHENSIVE PLAN

Mr. Maddiex stated as you all know the borough is working on the Comprehensive plan update and that is being run through the Planning Commission meeting and the next one is July 1st.

CONTINUED MEETING

Mr. Alfano stated this meeting is continued until June 30, 2014

Borough of California
June 11, 2014
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Change Order	Requested Amount	Engineer's Recommended Action	Engineer's Recommended Amount
2	\$4,777.56	Rejected	\$0.00
3 - Item 1	\$3,115.70	None *	\$0.00
3 - Item 2	\$4,636.75	Partial approval	\$294.00
4 - Item 1	\$3,000.00	None *	\$0.00
4 - Item 2	\$1,500.00	None *	\$0.00
5	\$6,007.32	Partial approval	\$2,833.64
6 - Item 1	\$16,019.52	Partial approval	\$3,638.85
6 - Item 2	\$4,004.88	Partial approval	\$1,417.82
Totals	\$43,061.67 **	N/A	\$8,186.31

* Change order request subsequently withdrawn by Contractor.

** Includes all amounts including withdrawn portions.

Should you have questions or require additional information, please contact me at your convenience.

Cordially,

FAYETTE ENGINEERING COMPANY, INC.



Vaughn S. Leer, P.E.
Senior Project Manager

cc: D. Keith Melnyak, Esquire

Attachments