

Regular Meeting of Council, June 13, 2010

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

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

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ADDITIONS/CHANGES TO THE AGENDA

Dr. Martin – Parking fine revision

Mr. Bittner – K-9,

Bags for dogs

Mr. Encapera – Skyline Dr. no outlet signs under Personnel

Mayor Stetar – Enact Civil Service for a fulltime police officer

The agenda will stand as presented and amended.

BID STATUS

CURBING BIDS

Dr. Martin stated that the bids that were opened last week to decide whether or not the bids for curbing will be accepted. The bid amounts were read: Hunter Excavating \$37,718.60, El Grande \$68,220.00 and Morgan Excavating, L.P. \$90,860.00. Mr. Mariscotti stated that there are questions regarding what the gas company and water company are going to do. Mr. Tудay contacted the gas company after the last meeting and they haven't gotten back to him. Mariscotti/Difilippo motion to award curbing bid in the amount of \$37,718.60 to Hunter Excavating. Under discussion, Mr. Agrafiotis stated he spoke with Morgan today and he stated if there is an increase in cost he may ask the borough to pay the difference. Mr. Morgan is the paving contractor. Mr. Mariscotti felt that council should not proceed with the until they know what is going to happen. Mr. Agrafiotis suggested holding this and have a special meeting. Mariscotti/Difilippo motion to withdraw their motion.

TRUCK BIDS

The bids for the truck came in at Duda's - \$6,552.00 and Burns \$8,500.01. Mr. Tудay felt that the borough could get a higher price. Mr. Tудay suggested trying Municlbid. Mariscotti/Difilippo motion to reject the truck bids carried with all stating aye.

PUBLIC COMMENTS

No public comments.

MINUTES

Motion by Difilippo/Gutosky to approve the minutes of the regular meeting of May 9, 2019 carried with all members stating yes.

SECRETARY TREASURER'S REPORT

Mrs. Clancy read the accounts payable and the account balances of May 31, 2019.

Motion by Difilippo/Bittner to approve the minutes of the regular meeting of May 31, 2019 carried with all members stating aye.

CERTIFICATE OF APPRECIATION

Mr. Alfano presented Mr. Kotchman a certificate of appreciation for his service.

PRESIDENT'S REPORT – MR. ALFANO

HICKORY ST. PLAYGROUND

Mr. Alfano stated the equipment is in and contractor would be starting on Hickory St. Playground.

CONFIRM MEETING WITH CBRA, EPD AND COUNCIL

There is a meeting at Mechanic St. Playground on Thursday, June 20, 2019 at 3:00 with Council, Mr. Taday, the Recreation Authority and Andrew Environmental Plans.

EXECUTIVE SESSION – JUNE 6, 2019

The executive session of June 6, 2019 was on mediation update.

GEORGE CRANE RESIGNATION FROM CBRA

Encapera/Bittner motion to accept George Crane's resignation from the California Borough Recreation Authority carried with all members stating yes. Mr. Alfano announce there are two seats open on the Recreation Authority Board. Mr. Bittner asked that a letter of appreciation be sent to Mr. Crane.

BOROUGH ADMINISTRATOR – DR. MARTIN

UPDATES

For updates, Dr. Martin referred council to the weekly reports sent by email.

COMPUTER & SOFTWARE – ZONING AND ADMINISTRATION

Dr. Martin stated that the operating system is no longer being supported and hardware upgrades was budgeted. Mariscotti/Gutosky motion to approve the purchase of computer at a cost of \$5,994.00 for the budgeted hardware upgrades to be paid departmentally under computer hardware. On a roll call vote motion carried with all members voting yes. Difilippo/Gutosky motion to purchase six Office 2019 Profession Plus software at a cost of and \$2,694.00 for six software for permanent licensing. Under discussion, Mr. Encapera suggesting using Google instead of Office because Charleroi School District went with Google for free instead of paying for the licenses. On a roll call vote motion carried with all members stating yes. Mrs. Gutosky asked if Response would implement the software. That is included. On a roll call vote motion carried with all members stating yes. Difillippo/Gutosky motion to purchase software from gaming revenue.

45' TRUCK RESTRICTION ON WOOD ST.

Dr. Martin stated from a preliminary conversation with PennDot suggests to him that if council asks for it they will grant it. A 45 ft. length restriction in addition to the signage that is already there is better than what is there now. Mr. Glab stated that Wood and Third St. are state roads and felt that signs could be put on every street coming up and down the hill prohibiting left and right turns. Only permitted to make left turn on Third St. Chief Sheehan stated that could be enforced. After much discussion, Mr. Bittner felt there should be a meeting with the magistrate to see what the problems are and why this is not enforceable. Chief Sheehan felt that PennDot's solicitor should meet with them also. Dr. Martin had already schedule to meet with the magistrate tomorrow. He then suggested that every time there is a hearing to subpoena the individual from PennDotS to come explain why the signage is legal. PennDot will meet with council but must have a formal request. He would have to send them a copy of the motion. Dr. Martin stated that at PennDot is only talking about putting signage at the top of

Wood St. Hill and down the hill and it would only be a length restriction and it would be state imposed length restriction.

MEMORANDUM OF UNDERSTANDING

Dr. Martin spoke to John Bedillion from the Teamsters regarding an employee buying back their health insurance. He said the Teamers are fine with that as long as it is formalized into a Memorandum of Understanding. Mr. Bedillion stated that the employee must be told that the insurance is an inseparable. Mariscotti/Glab motion for the solicitor to draft a Memorandum of Understanding. This will be offered to all employees. The employee would receive \$596.17 in lieu of medical insurance. On a roll call vote motion carried with all members voting yes. Mr. Difilippo asked if there is a certain time of the year that the employee could opt in or out of insurance. Dr. Martin stated that could all be negotiated in the MOU. Dr. Martin stated he would not let them opt back until the lifetime of the contract. Mr. Glab disagreed because too many things could happen.

PARKING FEES REVISION

Dr Martin stated, Council by motion established some new fees for parking fines. It has come to his attention that there are specific ordinances, already in place, that will need to be formally amended in order to make those new parking fines and the additional charges on paying the parking tickets that are written at the meters. Difilippo/Mariscotti motion to approve the Solicitor to amend and modify ordinances and model traffic ordinances and advertise these ordinances. On a roll call vote motion carried with all members voting yes.

PUBLIC HOUSING – MR. GLAB UPDATES

Mr. Glab reminded everyone to keep their grass cut or they will receive a Quality of Life Ticket. The Chief stated do not put grass on the road. Mr. Bittner stated this can be enforced under the Quality of Life Ticket.

PUBLIC WORKS – MR. MARISCOTTI UPDATES

Mr. Tудay stated he was contacted by Mrs. Sears of the Village Day Care Center, they are having construction week the second week in July. She asked if the street department could bring some equipment there to show the students. Mr. Tудay stated the equipment could be kept on the street and the street would be blocked off. Bittner/encapera motion to approve Mr. Tудay taking street department the Village Day Care Center the second week in July. Motion carried with all members stating aye.

STREET DEPARTMENT TRUCK

Mr. Agrafiotis stated when the bids for the street department truck were rejected there was discussion about Municibid. There needs to be a motion to this affect. Difilippo/Mariscotti motion to advertise the street department truck on Municibid, set minimum reserve of \$8,500.01. Any bid can be accepted or rejected. On a roll call vote motion carried with all members present voting yes. Mr. Glab stepped out.

WIDMER ENGINEERING INVOICE #21904151 - \$375.00 – INSPECTION

Mariscotti/Difilippo motion to pay Widmer Engineering Invoice #21904151 in the amount of \$375.00 for inspections. On a roll call vote motion carried with all members voting yes.

PUBLIC SAFETY – MR. BITTNER

K-9

Mr. Bittner was asked about the borough's K-9 officer and why it is not being seen. The K-9 works the evening and afternoon shifts and he goes around the town during those times. He is trained as a drug dog and also a patrol dog. He is used in traffic stops to search the vehicle along with the patrol officer. Mr. Bittner was asked if this is an expensive proposition. It does cost. In talking with the Chief, the Chief said he is very satisfied with the K-9's performance.

DOG WASTE BAGS

As discussed, Mr. Bittner would like Dr. Martin and the Chief look into buying litter bags for dogs. The bags could be in the patrol car. It was also suggested that the ordinance be attached to the bag and the person would then know. The police department would enforce the ordinance. The chief said he police would also have the police check at Rotary Park. Mr. Bittner reminded that this is also a leash law in California Borough.

Paula suggested that since the Officer is paying for the K-9's food that a few places should be contacted about free food. Chief Sheehan would write a letter to Royal King.

FINANCE – MRS. GUTOSKY

PAYMENT OF BILLS

Gutosky/Bittner motion to pay the bills. On a roll call vote motion carried with all members voting yes.

MID MON VALLEY TRANSIT AUTHORITY CONTRIBUTION - \$4,725.00

Gutosky/Mariscotti motion to pay \$4,725.00 to Mid Mon Valley Transit Authority for the borough's contribution. On a roll call vote motion carried with Mr. Glab, Mr. Mariscotti, Mr. Alfano, Mr. Bittner, Mrs. Gutosky, Mr. Encapera voting yes and Mr. Difilippo voting no.

PUBLIC HEALTH – MR. DIFILIPPO

WIDMER ENGINEERING INVOICE #21904138 - \$5,535.00 – HIGHLAND DRIVE SEWER

Difilippo/Mariscotti motion to pay Widmer Engineering invoice #21904138 in the amount of \$5,535.00 for the Highland Drive Sewer inspection. On a roll call vote motion carried with Mr. Gutosky, Mr. Mariscotti, Mr. Alfano, Mr. Difilippo, Mr. Glab, Mr. Encapera voting yes and Mr. Bittner voting no.

WIDMER ENGINEERING INVOICE #21904149 - \$525.00 – MALDEN ROAD SEWER LINE

Difilippo/Mariscotti motion to pay Widmer Engineering invoice #21904138 for general engineering on Malden Rd. sewer line in the amount of \$525.00. Under discussion, Mr. Difilippo asked Mr. Eby what this project is; Mr. Eby stated that is when the sewer line had to be hooked up where they graded that lot. Some adjusting had to be done on the manhole and sewer line. Mr. Difilippo asked if that should be under Washington County Redevelopment Authority. Mr. Eby said no, that is the borough's sewer line. He talked to Dr. Martin about this. On a roll call vote motion carried with all members voting yes.

WIDMER ENGINEERING INVOICE #21904152 - \$852.50 – HOP PERMIT MANHOLES AND MALDEN ROAD

Difilippo/Mariscotti motion to pay Widmer Engineering invoice #21904152 in the amount of \$852.50 for High Occupancy Permit for manholes and Malden Road for CAD technician. On a roll call vote motion carried with all members voting yes.

Mr. Bittner asked Mr. Eby if the bills were straightened out that came to California Borough that should have gone to the Redevelopment Authority. Mr. Eby stated that he sent the Borough and didn't realized

that they were being paid by the Borough. What they are going to do is issue the whole payment to the Borough. He stated that Dr. Martin is aware of that.

PERSONNEL – MR. ENCAPERA & MR. MARISCOTTI

Mr. Encapera stated that in council's packets is a letter of resignation from Doug Baker. He thanked him for his years of service. Encapera/Difilippo motion to accept Doug Baker's letter of resignation effective September 9, 2019. On a roll call vote motion carried with all members voting yes.

ELLSWORTH ST. – NO OUTLET SIGN

Mr. Encapera received a complaint about trucks and vehicles that turn into the Harris Plan and end up lost because there is no sign that says "No Outlet." He would like a sign where Skyline and Ellsworth meet so there will not be traffic. Chief Sheehan stated that when council has the meeting with PennDot, maybe PennDot would put the big yellow signs on the light poles. Encapera/Glab motion have "No Outlet" sign post going into the Harris Plan on Skyline Drive. On a roll call vote motion carried with all members voting yes.

MVTA

Mr. Encapera stated that he asked at the MVTA meeting and was told that the Borough is on the high end of contributions but not the highest.

Regarding ridership at Liberty Towers issue and they only 3 or 4 riders per day.

JUNIOR COUNCIL – MR. KOTCHMAN

Mr. Kotchman stated that the high school baseball team won the section and WIPIAL Titles but they lost in the second round of the state playoffs to the number one seeded team. The class of 2019 graduated. Mr. Kotchman thanked council for the opportunity, it has been a learning experience.

Mr. Encapera would like a formal declaration sent to the baseball team.

MAYOR'S REPORT – DR. STETAR KENNYWOOD

Mayor Stetar announced that Kennywood would be on July 24, 2019. Tickets will be available at the firehall. Watch for signs with the details about when the sales will take place.

RT. 40

Rt. 40 will be closed tonight. It was supposed to be closed last night but there was an issue with the crane.

CIVIL SERVICE

Mariscotti/Difilippo motion to enact Civil Service to start the process to fill the position of full-time police officer that has been vacated by the hiring of the Chief. On a roll call vote motion carried with all members voting yes.

ENGINEER'S REPORT – MR. EBY GENERATOR – VULCAN VILLAGE

Mr. Eby obtained four prices for a replacement generator to replace the generator by Vulcan Village. Palco, Inc. came in the lowest at \$15,824.00.

Difilippo/Bittner motion the purchase the generator from Palco, Inc. in the amount of \$15,824.00. On a roll call vote motion carried with all members voting yes.

NEVA CONTRACTING

Mr. Eby stated regarding Contract No. 2 for Nevaeh Contracting there was a change order. When it rains every part of the road dries except the one low corner of that ditch line. It was collecting water. He spoke with Mr. Griffen of the Redevelopment Authority and it was decided to dig that up and fix it and paint double yellow lines to cal-de-sac. That is all paid out of the Washington County Redevelopment Authority. Glab/Marsicotti motion to approve payment of change order, contract no.2 in the amount of \$7,550.00 to Nevaeh Contracting by the Redevelopment Authority. On a roll call vote, motion carried with all members voting yes.

KEYSTONE UTILITY

Mariscotti/Glab to approve payment to Keystone Utility, Contract #5 to lot leveling in the amount of \$22,987.00, final payment. On a roll call vote motion carried with all members voting yes.

CONTRACT 4

Contract 4 is the clearing of two lots in the Industrial park.

CONTRACT 3

Contract 3 is to trim the trees this month. The county is gong to replace the fig trees.

GUTTERS

On May 16, 2019 Mr. Eby and Mr. Tuday checked the gutter, during a heavy rain. Mariscotti/Bittner motion to approve the substantial completion of the gutters by DeFrank Construction. This was completed on May 16, 2019 and the warranty is for one year, May 16, 2019 to May 16, 2020. On a roll call vote motion carried with all members voting yes.

HUNTER EXCAVATING

Mr. Eby stated he checked and everything seemed to be alright on April 11, 2019 with Hunter Excavating. Mariscotti/Glab motion to approve substantial completion Hunters Excavating. on April 11, 2019. On a roll call vote motion carried with all Mr. Encapera, Mr. Mariscotti, Mr. Bittner, Mr. Glab, Mrs. Gutosky voting yes and Mr. Difilippo voting no.

SUBRICK CONSTRUCTION

Mr. Eby was contacted on by Mr. Subrick. Substantial complete date is June 13, 2019. Mariscotti/Glab motion to approve the substantial completion, June 13, 2019, of sewer line by Subrick Construction. On a roll call vote motion carried with all members voting yes.

FILINO CONSTRUCTION – CONTRACT 7

Retainage \$61,580.80 the punch list is done. Mr. Difilippo asked location. Mr. Eby stated the bottom line contract is for \$1,265,076.28 and \$120,880.65 for the blacktop and with the retainage Filino will only get \$104,530.37. The contract will be \$1,240,976.05. The project is \$24,000.00 under budget. Mariscotti/Bittner motion to approve payment to Filino Construction, Contract 7 for paving in the amount of \$104,530.37. Under discussion, Mr. Glab stated there were several residents that stopped down that had and asked Mr. Eby if they had been taken care of. Mr. Eby stated as far as he knows. The inspector came down for a few days, a couple weeks ago and all issues were resolved. Mr. Difilippo stated that the report that Mr. Eby gave them only status updates. He would like to know what updates

are in the future. Mrs. Gutosky asked if Mr. Eby received today's complaint. Mr. Difilippo asked if the issue on the top of the hill was addressed because that puddle was not there before and in the winter that will be icy. Mr. Tудay stated there was never water there. Mr. Eby stated he would contact PennDot to see what would have to be done with PennDot. Mr. Difilippo stated that the water was not laying there until the sewer line work was done and now the water is laying there. He could not see why that is a PennDot problem. Mr. Eby stated he would ask PennDot where to put the water. The problem is by Walters. Mrs. Gutosky asked why they could not make it like it was before. Tony asked if a drain could be put in. Mr. Eby stated he would have to get with PennDot on that. On a roll call vote motion carried with Mr. Encapera, Mr. Glab, Mr. Mariscotti, Mr. Alfano, Mr. Bittner voting yes and Mrs. Gutosky and Mr. Difilippo voting no.

SOLICITOR'S REPORT – MR. AGRAFIOTIS EXECUTIVE SESSION

Mr. Agrafiotis requested an executive session after the meeting.

MON VALLEY ALLIANCE

Mr. Agrafiotis stated that Mr. Brown from the Mon Valley Alliance was at the meeting last week speaking about the Regional Enterprise Zone. Council did not wish to participate in the Mon Valley Alliance at this time.

REVISED HEAVY HAULING - DIVERSIFIED

Mr. Agrafiotis stated he did receive the revised heavy hauling packet from Diversified.

MISLO LANE

Mr. Agrafiotis stated there was discussion regarding Mislo Lane but council did not authorize him to look into that. Dr. Martin stated that Zoning Officer Petro stated that a property would be cut off so the conscience around the table that was not a good move for that to be pursued at this time.

MENORANDUM OF UNDERSTANDING

For the continued meeting, Mr. Agrafiotis will have the proposed MOU.

BURNING

Mr. Agrafiotis sent out information he received from the DEP on the burning ordinance. He asked that everyone look at that.

SEWAGE ORDINANCE

Mr. Agrafiotis has the sewage ordinance done but has questions for Ms. Evans. Difilippo/Bittner to advertise the new sewage for the continued, if the meeting is continued. On a roll call vote motion carried with all members voting yes.

MISLOW LANE

Mr. Bittner asked that Mr. Agrafiotis and Mr. Petro get together to see if this can be done.

OLD BUSINESS

There was not old business at this time.

NEW BUSINESS

Dr. Martin asked to send two letters on Council's behalf expressing their gratitude to Mr. Sears for the Veteran's Committee doing such a wonderful job on the Memorial Day presentation. Also, in a related letter he would like to send one to Michael Streets, Sarah Grimm and Renee from Key Bank who actually went up there and volunteered their time to beautify the circle with plantings and mulching prior to the ceremony.

Difilippo/Mariscotti to continue this meeting to June 25, 2019 at 6:30 pm. On a roll call vote motion carried with all members voting yes.

RECOGNITION OF CITIZENS

Mr. Maddix confirmed that the continued meeting was on June 25th.

KRISTINE KINDLE – CAL U

Mrs. Kindle stated that this is camp and conference season. Next week is STEM week at the university.

Lori Clancy, Assist. Sec./Treasurer