

Regular Meeting of California Borough Council, March 12, 2015, 6:30 pm

President Alfano called the meeting to order at 6:40 pm.

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

ABSENT: Mayor Weld

PLEDGE OF ALLEGIANCE

INTRODUCTION OF K9 OFFICER

Mr. Alfano introduced Officer McCarthy and K9 Officer Ego. Officer McCarthy stated Ego is a Belgian malinois. Mr. McCarthy stated his nose ability is outstanding because he is a natural hunter. We did drug training yesterday for this first time and he did really well.

Mr. Alfano asked how old Ego is. Officer McCarthy responded that he is 19 months. Mr. Glab asked how much he weighs. Officer McCarthy stated he is about 63 lbs. now and may go up to 75 but he won't get bigger he will just fill out. Officer McCarthy stated he is very social and likes people but he is very aggressive when needed. Chief Encapera stated he has some training ahead of him but hopefully he will be on the streets by July.

COMMISSIONER -HARLAN SHOBER JR

Mr. Shober stated he didn't come to speak but he has been trying to get out to all the 66 communities and school boards to meet the people. He understands what council does on the local level and wants to make sure they know that his door is open. He stated he is looking for jobs in the local technology parks and tourism on the river.

INTRODUCTION OF BOROUGH MANAGER

Mr. Alfano introduced Samuel Sulkosky as the new Borough Manager. Mr. Alfano stated he knows a lot of people have been missing that contact since the other borough manager left the borough. So starting Monday you will be able to talk to a human being again and voice your issues. Mr. Sulkosky thanked Council for their support and stated he thinks this a tremendous opportunity.

ADDITIONS OR CHANGES TO AGENDA

Solicitor added – Resolution 15-003 – Salary of the Borough Manager

Mr. Mariscotti – has an invoice for outside services to be paid

Motion by Mariscotti/Glab to adopt the agenda as printed and amended carried with all members present stating aye.

PUBLIC COMMENT

Mr. Maddiex stated he would like details on the correction to the borough managers salary. Mr. Alfano stated that will be addressed under the Solicitor's report because it ties into the resolution he has prepared.

MINUTES

Motion by Difilippo/Mariscotti to adopt the minutes of the Regular meeting of February 12, 2015 carried with all members present stating aye.

Motion by Difilippo/Mariscotti to adopt the minutes of the Continued meeting of February 19, 2015 duly carried with all members present stating aye.

SECRETARY'S REPORT – MS. EVANS

Ms. Evans read the accounts payable and account balances for February 28, 2015.

Motion by Bittner/Difilippo to accept the Secretary/Treasurer's report carried with all members present stating aye.

JUNIOR COUNCIL MEMBER'S REPORT – ANGEL FUNK

Nothing to report

PRESIDENT'S REPORT –MR. ALFANO

EXECUTIVE SESSION

Mr. Alfano stated the executive session from February 12th was on employee issues and litigation discussion.

TRANSFER FROM BOND PROCEEDS TO GENERAL FUND

Mr. Alfano stated we need to transfer from the bond proceeds account to the general fund \$1,305.00 to pay CM Services invoice 15-025.

Motion by Mariscotti/Glab to transfer from the bond proceeds account to the general fund \$1,305.00 to pay CM Services invoice 15-025 duly carried on a roll call vote with all members present voting yes.

AUTHORIZE S. EVANS TO ATTEND TAX COLLECTION COMMITTEE MEETING

Mr. Alfano stated we need to authorize Shirley to attend the tax collection committee meeting on March 18th at 1:30 pm at South Strabane Municipal Bldg. so we will have her wages and mileage.

Motion by Mariscotti/Glab to authorize Shirley Evans to attend the Tax Collection Committee meeting on March 18, 2015 at 1:30 pm duly carried on a roll call vote with all members present voting yes.

EP & D INVOICE

Mr. Alfano stated we have an invoice from EP & D for February services in the amount of \$2,547.40.

Motion by Difilippo/Mariscotti to authorize payment of EP & D for February services in the amount of \$2,547.40 to be paid from the DCNR Grant duly carried on a roll call vote with all members present voting yes.

PUBLIC HOUSING – MR. GLAB

ZONING/CODE ENFORCEMENT OFFICER

Mr. Glab stated interviews are still taking place for the Zoning/Code Enforcement Officer position and hopefully we will have a potential hire in the next few weeks.

OCCUPANY LIMITS & POSTINGS

Mr. Glab stated we need to establish some occupancy limits for some of the establishments in town and if we do this we may have the potential to stop some issues that occurring late at night. This will be an ongoing problem and concern and we may have to involve the solicitor at some time.

PUBLIC WORKS – MR. MARISCOTTI

STREET DEPARTMENT UPDATE

Mr. Mariscotti stated they have been plowing and salting. This week they are patching potholes everywhere around town and street sweeping.

EQUIPMENT PURCHASE

Mr. Mariscotti made a motion to purchase a front end loader by trading in our current front end loader which is a 94 on a three year payment. Total purchase price is \$78,263.00 at a three year payment of \$26, 670.24 and financed through Caterpillar. Mr. Agrafiotis asked to clarify the motion please provide the trade-in amount. Motion died for lack of a second.

Mr. Alfano asked Mr. Mariscotti to talk to the new Borough Manager about this and see where the funds are going to come from and weigh the options of repairing the old one versus buying a new one.

INVOICE

Mr. Mariscotti stated he has an invoice for emergency equipment rental for last Friday. We had a truck go down and Jeff called him and asked if he could use his personal dump truck and Mr.

Mariscotti stated he told him we have to get the streets cleaned so go ahead. Jeff submitted a bill for 4.75 hours at \$85.00 per hour for a total of \$403.75.

Motion by Mariscotti/Encapera to reimburse Jeff Taday for a truck rental at a cost of \$403.75. Mr. Alfano stated we may want to have this reviewed by our Solicitor just to make sure it would be okay to go ahead and pay that.

Motion by Bittner/Glab to table this for further review by the Solicitor duly carried on a roll call vote with all members present voting yes.

PUBLIC SAFETY – MR. BITTNER

BATTLE RIDGE K9 INVOICE

Mr. Bittner stated we have an invoice from Battle Ridge K9 for \$4,300.00 which is the amount we received from the Pittsburgh Foundation to purchase the K9. So this money was received from the Pittsburgh Foundation for the purchase of the dog and deposited into the K9 fund so now we have to in turn cut a check to Battle Ridge K9 for the purchase of the dog in the same amount which is \$4,300.00.

Motion by Bittner/Difilippo to pay Battle Ridge K9's invoice in the amount of \$4,300.00 for the purchase of the dog duly carried on a roll call vote with all members present voting yes.

MATS FOR MUNICIPAL BUILDING

Mr. Bittner stated we received a quote from Unifirst, who currently supplies our uniforms for the street and sewer department, and he gave us the same price for the same number of mats and they will change them out twice a month.

Motion by Bittner/Gutosky to have Unifirst for our mat service contingent upon us successfully canceling the current mat provider duly carried on a roll call vote with all members present voting yes.

Mr. Bittner stated he will make this part of our current uniform contract.

PSAB ANNUAL SPRING CONFERENCE

Mr. Bittner stated the Pennsylvania State Association of Boroughs is holding their annual conference in Lancaster from April 26 through April 29th.

Motion by Bittner/Encapera to pay the entrance fee any council person or borough official that would like to attend that conference not to exceed \$250.00 per person duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated so everyone will be responsible for getting there, meals, and lodging. Mr. Bittner stated yes.

FINANCE – MRS. GUTOSKY

Motion by Gutosky/Bittner to amend the monthly bills by adding Rene Gerlachovsky for outside window cleaning at a \$150.00 to the bills and approve payment of the bills duly carried on a roll call vote with all members present voting yes.

PUBLIC HEALTH – MR. DIFILIPPO

WIDMER ENGINEERING INVOICES

Motion by Difilippo/Gutosky to pay Widmer Invoice # 21502041 in the amount of \$712.50 for installing GIS program on the Sewer Dept. computers duly carried on a roll call vote with all member present voting yes.

Motion by Difilippo/Glab to pay Widmer Engineering invoice #21502036 in the amount of \$5,027.50 for the Peach alley project duly carried on a roll call vote with all members present voting yes.

Mr. Glab asked if this is for Peach Alley project one or two. Mr. Glab asked if this affects anything we are doing on the first part of Peach Alley project. Mr. Eby stated they can break this

out. Mr. Difilippo stated we can do it contingent upon him submitted a detail breakdown of the invoice.

Motion by Difilippo/Glab to pay Widmer invoice # 21502037 in the amount of \$7,320.00 for the Waste Water Treatment Plant inspection and start up activities, and other duly carried on a roll call vote with all members present voting yes.

PURCHASE RHINO LINING FOR NEW SEWER TRUCK

Motion by Difilippo/Gutosky to purchase a Rhino lining for the bed of the new sewer truck from Phil Detweiler at a cost of \$519.00 duly carried on a roll call vote with all members present voting yes.

ADVENT COMMUNICATION SERVICE AGREEMENT

Mr. Alfano stated he put that on Mr. Difilippo's agenda last minute. Mr. Alfano stated he received an email yesterday from Advent and this would be for the service contract on the phone system at the sewer plant. There is a one year warranty which there will be no charges for but if we agree to take the service agreement at this cost we can save some money on the cost a year from now because they want to ensure that they will have equal protection after the first year warranty runs out. Mr. Alfano stated it would be \$45.80 per month and we pay \$53.00 or \$58.00 a month for the whole borough building. Ms. Evans stated we pay \$97.00 per month. Mr. Alfano stated this covers repairs, trip charges, and all the equipment. Mr. Alfano stated you get a standard one year warranty on the phone system but if you pre-sign they will cover any labor and trip charges within the first year. They won't bill us for any trip charges for the initial one year. Mr. Glab asked if there is a discount if we sign now.

Motion by Difilippo/Bittner to table this until next month's meeting to get clarification duly carried with all members present voting yes.

FEMA FLOOD INSURANCE – OLD SEWER PLANT

Mr. Difilippo stated we discussed this and do we need all this coverage on the old plant. Mr. Alfano stated all that coverage won't be needed once we take all the equipment out and demo the tanks. Mr. Mariscotti stated if you pay it now and cancel it later you should be entitled to a refund of the remaining premium. Mr. Difilippo stated the expiration date is March 22, 2015 so we can't wait and make a decision at the next meeting.

Motion by Difilippo/Bittner to pay FEMA Flood Insurance at a premium of \$7,303.00 duly carried on a roll call vote with all members present voting yes except Mr. Mariscotti who abstained.

FUTURE PROJECTS

Mr. Difilippo stated he wants to get back on the Highpoint Road project and investigate the Highland Drive sewer project and possibly Blaine Road.

MAYOR'S REPORT – MR. WELD

Mayor Weld was absent

PERSONNEL REPORT – MR. MARISCOTTI & MR. ENCAPERA

Mr. Encapera stated his name was skipped on the report and this is about the third or fourth time this has happened. He doesn't have anything formally for tonight that won't be covered under the Solicitor's report. He said this is the third or fourth time his name wasn't on the meeting minutes and this need to be corrected. It is not a clerical error and it needs to be fixed. He stated he is not happy with it and it is embarrassing, an elected official not on the meeting minutes.

ENGINEER'S REPORT – STEVE EBY

MELE & MELE PAYMENT REQUEST

Mr. Eby stated he has three motions for tonight but wants to check with Shirley to see if Vaughn sent her the Mele & Mele payment request. She indicated she had not received it.

Mr. Eby stated he will have to get that and do it next month.

MELE & MELE CHANGE ORDER #8

Mr. Eby stated we have a change order #8 from the General Contractor in the amount of \$1,308.00 for additional water line piping and regulators for the centrifuge unit.

Motion by Difilippo/Bittner to approve Mele & Mele's Change Order #8 in the amount of \$1,308.00 duly carried on a roll call vote with all members present voting yes except Mr. Encapera who voted no.

TROJAN UV PAYMENT REQUEST

Mr. Eby stated he has a bill for Trojan UV for the final 5% of their contract amount at a cost of \$10,800.00. Mr. Agrafiotis instructed Mr. Eby to address this under new business since it was not put on the agenda.

UPDATE ON SEWER PLANT

Mr. Eby stated we are scheduled to take one of the crosses out but with the river conditions as high as it is we're not able to shut the pump station down so that has been postponed so we'll try again for next week. Mr. Eby stated hopefully we can get the demolition done soon. On the Peach Alley project – R & B is on site and they started on Monday. On Monday they will begin on Second Street.

SOLICITOR'S REPORT – MR. AGRAFIOTIS

RESOLUTION – 15-001

Mr. Agrafiotis asked if everyone has reviewed Resolution 15-001 and has any questions. He asked Mr. Bittner if this is what he had in mind. Mr. Bittner stated yes it is.

Motion by Bittner/Encapera to adopt Resolution 15-001 on Accident reporting procedures duly carried on a roll call vote with all members present voting yes.

RESOLUTION – 15-002

Mr. Agrafiotis stated Resolution 15-002 requires that everyone report their time on the designated time clock and time cards and if they don't that pay is withheld until they rectify the situation and document the hours and provide them to Shirley.

Motion by Bittner/Encapera to adopt Resolution 15-002 on Time card reporting procedures duly carried on a roll call vote with all members present voting yes.

ORDINANCE 549- DYE TEST ORDINANCE

Mr. Agrafiotis stated he had given council a draft of Ordinance 549 for dye testing upon sale of property in the borough.

Motion by Difilippo/Gutosky to authorize the Solicitor to advertise Ordinance 549 for adoption at next month's regular meeting duly carried on a roll call vote with all members present voting yes.

RESOLUTION 15-003 ESTABLISH BOROUGH MANAGER'S SALARY

Mr. Agrafiotis stated there was a clerical error on the original agreement of hire and stating a salary of \$60,000.00 with two increases making it \$65,000.00 at the end of 12 months and now it will be \$65,000.00 for a period of 12 months. Mr. Agrafiotis stated and at the reorganization meeting he would need to be reappointed just like the solicitors. Mr. Sulkosky stated his understanding is that the appointment of a borough manager is for an indefinite period of time. Mr. Agrafiotis stated the state requires that it goes to the next reorganization meeting. Mr. Sulkosky stated he believes the Secretary/Treasurer is a reappointed position for reorganization meetings but does not believe that applies to the borough manager. Mr. Alfano stated there were multiple employment packages we were negotiating and the wrong amount got put in for the salary but the rest of it is the same. Mr. Agrafiotis stated just make it part of these minutes since we did the same for the last one approved.

Motion by Gutosky/Glab amending the previous motion to hire the borough manager at a starting salary of \$65,000.00 for a twelve month period duly carried on a roll call vote with all members present voting yes except Mr. Encapera voting no.

Mr. Encapera asked how much money we have budgeted for the borough manager. Mr. Alfano stated \$70,000.00. Ms. Evans stated it is \$60,000.00 but in 2014 it was \$70,000.00. Mrs. Gutosky stated instead of paying his moving expenses we negotiated a higher salary.

Motion by Bittner/Mariscotti to adopt Resolution 15-003 which sets the salary of the Borough Manager at \$65,000.00 for the next twelve months commencing on March 16th duly carried on a roll call vote with all members present voting yes except Mr. Encapera who voted no.

STREET OPENING ORDINANCE

Mr. Agrafiotis stated he spoke with Mr. Taday today and they had discussions a couple of months ago about amending the ordinance dealing with street opening permits. He indicated there is documentation he wants to me to look at and updating this ordinance.

OLD BUSINESS

Mr. Difilippo asked John if he looked into the sewer bill for the Harris farm pavilion up on East Malden Dr. Mr. Petro stated yes he is sending them a letter requesting information of when they took occupancy so we can back bill for the sewage. Ms. Evans stated we have been billing them sewage. The issue is the tap in fee was never paid for and I realized they tapped once I began to get reads from the PAWC. She stated she has been billing both the pavilion and the farmhouse. Mr. Petro stated he will send them a letter and address the tap in fee and then settle the monthly bill.

RESOLUTION – ESTABLISHING FINANCE DIRECTOR POSITION

Mr. Agrafiotis stated council directed him to start a job description for Shirley's new position but council has gotten back to him on what the terms are going to be. So once Mr. Bittner meets with Sam and Shirley they can determine what the terms are going to be and we can put that in resolution form.

HEAVY HAULING PERMITS

Mr. Difilippo asked if we are moving forward on the heavy hauling permits and who is actually responsible for them. Mr. Agrafiotis stated Widmer will be starting some traffic studies. Mr. Difilippo stated he talking about the folks that have already destroyed our part of Third St. Mr. Agrafiotis stated there is bond money there. Mr. Alfano requested Mr. Difilippo get with Jeff Taday and work on that. Mr. Bittner stated as far as the bonding we have some roads posted in California for tonnage and he thinks we should look at some more roads for weight limits. He said someone has to start enforcing the weight limit ordinance and get on the same page. It is an effort of futility if we are not enforcing it.

NEW BUSINESS

TROJAN UV INVOICE

Mr. Eby requested council to make a motion to pay Trojan UV's final invoice in the amount of \$10,800.00.

Motion by Difilippo/Glab to pay Trojan UV's final invoice in the amount of \$10,800.00 duly carried on a roll call vote with all members present voting yes except Mr. Encapera who voted no.

PEACH ALLEY PROJECT

Mr. Eby stated we have R & B working down on Peach Alley but that whole road needs tar & chipped there is no pavement there. So he would like council to know the condition of the road that he is starting with.

GARBAGE HAULER

Mr. Bittner stated he went to the spaghetti dinner this evening and a lady came up to him and said Jon you have to do something about this garbage hauler and he agreed that we certainly do. Last week because of inclement weather they did not pick up on Friday they did not notify this borough that pick-up day was moved to Saturday. When they were contacted they said their office was supposed to call us and they did not. We had a gas emergency up near his place and they weren't able to get down Orchard Street for a little while so they just left it instead of

coming through the parking lot or sending a man down to pick up the bags and take them to the truck. He stated some of the dumpsters downtown are to be picked up every week and they are overflowing. He stated we need to sit down with them and he would like Tom to be there and if need be we may have to look at some type of action if they are breaking some of the terms of the contract.

GAS COMPANY

Mr. Difilippo stated the gas company just come in and do whatever they want to do whenever they want to do it without telling anyone. Mr. Alfano stated yes and we agreed to three meters on Third Street and now they're putting more than that up. Mr. Difilippo stated he thinks council, along with Sam need to meet with them and have a little discussion of what is expected. Mr. Mariscotti stated they asked him today if we came up with a design for a cover for the meters on Second Street. Mr. Alfano stated he asked Kenny to come up with a design.

R & B CONTRACTING

Mr. Bittner stated that R & B, and Jeff took care of this but this is one of the reasons we need an inspector on that job, they unloaded their hoe down at the sewer plant and then trammed it up Second Street and he watched the markings. He called Mr. Taday and asked him about. Now why would they unload there and tram it three blocks to the jobsite when they could have unloaded at the job site. It just seems when these contractors come into California it is wide open do what you want and get away with it and we have to put a stop to it. That is part of the reason we need an inspector on these jobs as full time as possible.

Mr. Eby asked if council knew where they could park the machines for this job. He can't leave them in the alley. Mr. Alfano stated they were parking them in parking stalls along the streets.

RECOGNITION OF CITIZENS

KEN SIKORA

Mr. Sikora introduced himself as the President of Parks & Recreation of Cal U and they are planning the 20th Anniversary Pike Run Fishing Festival. He asked council if they could supply a dumpster for the week before the festival until the day of so when they clean up they can have the dumpster there. He also asked for Port-a-johns and two officers to assist with directing of traffic. Mr. Alfano stated the Recreation Authority already has one port-a-john there and they voted at this past meeting to have a handicapped port-a-john there for that event. Ms. Evans asked Mr. Sikora to let her know the specific dates when they want the dumpster placed and picked up. Mr. Bittner stated he will talk to Rick about police coverage.

DAN FOWKES

Mr. Fowkes stated he ran into a gentleman out on Chestnut and that road was bonded when they did that logging. He stated they logged out on Mislo Lane and they are transferring now to Chestnut on our section of the road and he wanted us to tell Jeff that they were bringing their equipment over. He assumed since they were on Mislo he would assume that they bonded Mislo Lane. Mr. Fowkes suggested that Mr. Mariscotti let Jeff know.

Mr. Fowkes stated he plows the river side of the hill and he would like to recognize a couple of citizens that make his job much easier and that is Duncan Evans and Wally Wright. He also recognized the Cal U Girls Basketball for the win in the State Championship. Mr. Fowkes suggested that council should think now about purchasing Christmas lights and banners and brackets because we don't have enough to do everything now. Now would be the time to do inventory of what we have and what we need. Mr. Fowkes asked council if they know anything about the new hotel. Mr. Alfano stated if all the furniture comes in they are looking to open on April 1st. Mr. Fowkes asked Mr. Mariscotti what the status is of the truck that is down with the transmission problems. Mr. Mariscotti stated they are going to fix it add a temperature gauge for that transmission and a transmission line and should be done by next week. Mr. Fowkes stated he thinks the new borough manager is going to have his hands full the businesses downtown should have to maintain their sidewalks and keep the cigarette butts off the sidewalk. He stated the parking in this town is terrible and families with one car move out and sell the property and the new owners rent it to 4 or 5 college students with cars and he thinks there is a lot of overcrowding and that needs to be looked into. Mr. Fowkes stated there was some conversation about the 800 and why they didn't use the 800 to plow. He stated part of the reason you don't use the 800 and he can tell you the 800 has not been used since he's been here for snow plowing is

that the 800 is huge and it is a 1996 two wheel drive. He's talked to some previous employees of the borough who said you can't use that 800 everywhere it won't turn and it's huge and it has a big blade. In 1996 when you bought that up until today the dynamics of California have changed tremendously. There are tons of places in this town you cannot utilize the 800. Mr. Glab asked if it could be used in the country. Mr. Fowkes states yes and you use chains to do it.

MR. MADDIEX

Mr. Maddiex stated he doesn't understand the change in the Secretary/Treasurer. Mr. Sulkosky stated that was at his request. Mr. Alfano stated it surely is not a reflection of the job that the current Secretary/Treasurer was doing because she was doing a great job. It was just a restructuring request that Mr. Sulkosky had. Mr. Sulkosky stated the Borough Code is not real clear about the duties of the Secretary/Treasurer and he's been in both situations. The most recent he was Borough Manger and Secretary/Treasurer and it worked out perfectly. He was also in a borough where the Borough Secretary and the Borough Manager were two different people and it didn't work very well from his prospective. He expressed his concerns during the interview with the council and it has not reflection on Shirley it was just something he had requested. Mr. Maddiex stated we should do ordinances that when a business moves out they should have to take down their signs on the exterior of their buildings. Mr. Mariscotti stated he thinks that is up to the landlord to have their tenants remove those when they leave.

ADJOURNMENT

Motion by Difilippo/Glab to adjourn duly carried with all members present stating aye.

BOROUGH OF CALIFORNIA

225 Third Street, California, PA 15419

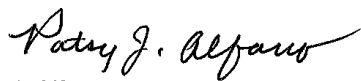
March 5, 2015

Samuel Sulkosky
Borough Manager Position
RE: Terms of Employment

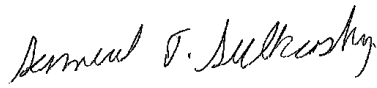
1. Appoint Samuel Sulkosky as the Borough Manager (hereafter referred to as Manager) and Secretary/Treasurer of the Borough of California.
2. All Borough business must be directed through the Manager.
3. Starting salary to be \$65,000. Salary for next 12 month period will be negotiated during budget hearings for 2016, so any increases can be included in new budget.
4. Manager will be eligible for a grant writing fee of up to 5% of the grant amount, to be written into the grant.
5. All health/dental/prescription/vision/life insurance/sick and accident benefits to start as soon as possible.
6. Retirement contributions to PMRS (or another qualified program) up to 5% of income match. This will be determined after the Manager is on staff.
7. Cell phone reimbursement of \$100 per month.
8. Travel Reimbursement (if Borough vehicle is not available) at the IRS standard rate.
9. Vacation, sick, personal days will accumulated according to uniform (police) contact terms.
10. Manager can accumulate up to 150 sick days and the municipality will buy back any unused days over 150 days at the rate of \$30/day.
11. Manager will contribute \$50 per month towards health care.
12. Manager is an "At Will" employee; will work a 40 hour work week; and will use "flex" time hours to allow for late meeting nights, etc.

This employment will commence on March 16, 2015. Both Borough Council and Samuel Sulkosky agree to these conditions of employment.

Sincerely,



Patsy J. Alfano
Council President


Borough manager

