

Regular Meeting of California Borough Council, May 8, 2014, 6:30 pm

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

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

ABSENT: Mr. Encapera

MOMENT OF SILENCE PLEDGE OF ALLEGIANCE

Mr. Alfano asked the audience to be patient tonight and explained that this meeting is the first meeting we will be going paperless. He stated that the E-gov. folks are here and will walk us through any difficulties and everything that council has to deal with will be on this website, Californiapa and this is our first attempt and is more or less informational.

ADDITIONS OR CHANGES TO AGENDA

Mr. Bittner added under Public Safety- police background checks
Mr. Glab added under housing – Reminder about the Grass ordinance
Mr. Melenyzer added an executive session on legal issues

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

AWARD PRESENTATION – MAYOR WELD

Mr. Alfano stated we will now present the certificates of appreciation to all the folks who helped get this borough in shape during the Big Event. Mayor Weld asked that once your name is called please come forward. He called Ryan Fisher; Mayor Weld stated this young man is first because he actually went into the water and retrieved tires and trash for us. He then called Mark Siler, Bella Enterprise, Fiji Fraternity, Alpha Kappa Lambda, Omega Si Phi, Thi Kappa Epsilon, Sig Tau Gamma, Acacia Fraternity, Theta Xi, Jeff Tудay, Donald Towner, Ronald Santo, AVI Food Service and Timothy Buchanan. Mr. Buchanan asked that they all pose for picture for the newspaper.

Mr. Buchanan asked the E-gov folks to show the pictures of the rotary park cleanup project. He stated this was Phase I and Phase II will be the other side of the creek and he's working with Oroeville hatchery which has created a California Borough Pennsylvania Account and rather than us handling any money people can make donations directly to them.

MINUTES – REGULAR MEETING APRIL 18, 2014

Motion by Difilippo/Gutosky to approve the minutes of the regular meeting of April 18, 2014 carried with all members present stating aye except Mr. Glab who abstained because he was absent that meeting.

JUNIOR COUNCIL MEMBER – ANGEL FUNK

BOYS BASEBALL – Ms. Funk announced that the California Boys Baseball team are section champs and will go on to the WPIALS.

GRADUATION – Ms. Funk announced graduation will take place on May 30, 2014

MAY DAY CEREMONY – Ms. Funk announced that the May Day Ceremony will take place on May 21st and it is a Wednesday and this is where the students get their awards and scholarships.

Mr. Mariscotti announced that the California Trojan Booster All Sports banquet is Sunday, May 18th and it will be at the High School this year and it is for all students participating in sports

Mr. Bittner added that Kailyn Clancy, whose mother works here, has excelled in track and field and she won in the Penn Relay which is one of the most prestigious track and field meets on the East Coast of the United States and she represented California Area High School very well and we congratulate her for that.

SECRETARY'S REPORT – MS. EVANS

Ms. Evans read the accounts payable and receivables for March 2014.

COMBINING HEAVY HAULING ACCOUNTS

Ms. Evans stated she has received a request from the bank requesting that we combine some of our accounts and track them internally. Mr. Alfano asked the Solicitor if this was acceptable. Mr. Melenyzer stated yes you can do that since there is no interest earned on these accounts.

Motion by Mariscotti/Difilippo to combine all the Heavy Hauling permits into one bank account and track them internally carried with all members present stating yes.

Mr. Melenyzer stated while we're at it the K9 fund is still on the account balances and we no longer have a dog so that can be removed. And the Maglev account is a dead issue so he thinks that both these accounts can be closed and monies moved to the general fund. Mr. Bittner stated the Maglev account is not our money. Mr. Melenyzer stated he understands that and it can be marked and if they come back and ask for it then we pay it that's all.

MAGLEV FUND ACCOUNT

Motion by Bittner/Mariscotti to move the money in the Maglev Escrow account of \$2,916.76 to the General fund account and ear mark them for future reference carried with all members present stating aye.

K9 FUND ACCOUNT

Motion by Difilippo/Mariscotti to move the money in the K9 fund account of \$120.49 to the general fund carried with all members present stating aye.

Mr. Bittner asked the Chief if Central Tractor has been notified that we no longer own that dog and if not they should be notified because he understands that they have been supplying the food for that dog. Mr. Alfano asked the Chief to notify them tomorrow.

PRESIDENT'S REPORT – MR. ALFANO

REPORT ON EXECUTIVE SESSION

Mr. Alfano stated that the executive session on April 0, 2014 was mainly on police personnel since we had a bunch that just took the civil service exams we were discussing their scores and any new candidates that may be suitable for the borough. He asked that Chief to set up interviews in the next week or so. He asked council for a good date to do interviews. Council decided on Wednesday, April 14th at 6:00 and asked Chief to set those interviews up for that night.

FEMA INSURANCE – PUBLIC LIBRARY

Mr. Alfano stated we have the renewal policy for the Flood insurance for the Public Library and the current coverage is \$1,087.00 and the enhanced coverage which allows for inflation is \$1,173.00. Mr. Alfano stated he would suggest the enhanced coverage to keep up with inflation.

Motion by Gutosky/Bittner to renew the FEMA flood insurance for the public library at a cost of \$1173.00 duly carried with all members present voting yes except Mr. Mariscotti who abstained because of his insurance business.

DYE TESTING

Mr. Alfano stated he had previously provided information concerning dye testing in the borough when residences and businesses change hands and this is required in almost all municipalities in the valley and the fees range from \$50.00 up to \$250.00. He stated the North Huntington is very comprehensive and he doesn't think we want to get that involved but we've spent so much money on storm water separation this would be just one way to checking them. Mr. Glab asked if we could include this test in our annual rental inspections and that would catch a lot of them every year. Mr. Alfano stated if you do it once that would be okay. Mr. Glab stated or for change of uses. Mr. Melenyzer stated you did the whole municipality at one time. Mr. Alfano stated yes and once that was complete some people put them back in. Mr. Melenyzer stated then you'd have to test them all you cannot just select rental properties and single them out there has to be some basis in which you are doing it that is not discriminatory.

Mr. Alfano stated he is not too concerned with rental properties but he would like it just when the property changes hands. Mr. Melenyzer agrees that it should be done because you shouldn't be processing storm water at the sewer plant it just costs you too much money.

UPDATE ON NAUTILUS BUILDING DEMOLITION

Mr. Alfano stated we met with Kerry Fox from the Washington County Redevelopment Authority on Wednesday and the lowest bidder for the demolition project and some other council members. He stated the bids came in approximately \$41,000 over what the engineers projected. Kerry Fox indicated that they can advance us funds of \$41,000.00 from our 2015 CDBG monies if council approves to make up the difference in the cost of this demolition project. Mr. Alfano stated as well he talked with the engineers who noticed that a couple of other projects that the Redevelopment had done the contractors did not bring in clean fill and compact the it and it has come back to bite us so on this project it would a difference of \$20, 202, 02 that we would need to contribute from borough funds to have it clean filled and compacted materials at this site. He stated we also found an existing sewer line that comes from an adjacent building and comes under the Nautilus building so we will have to do something with that as well once the building is down we'll have to relocate that tap. He stated we need a motion from council allowing the Redevelopment Authority to advance us approximately \$41,000.00 of our 2015 Community Development Block Grant money to apply to this project.

Motion by Mariscotti/Difilippo to allow Washington County Redevelopment Authority to advance us approximately \$41,000.00 from our 2015 CDBG funding toward the Nautilus demolition project duly carried on a roll call vote with all members present voting yes.

Mr. Glab asked about the encroachment issues. Mr. Alfano stated that we approaching that issue and there is no encroachment on the Wood Street side he thinks it is probably right on the property line and that building is attached and we will work with the property owners. The encroachment on the Third Street side has about an 18" encroachment and council will work with that property owner to resolve that. Mr. Melenyzer stated it is his understanding that the contractor who was awarded the job will drill a hole through those walls of the encroached properties to see what the attachment is and then we will have to send a notice out so that the property owners will have a chance to be there with their contractors or whoever. Mr. Alfano stated as soon as we officially we make these additional contribution to the project they can award the bid but everyone is already aware. Mr. Melenyzer stated yes but you have to officially notify them and Kerry said that he would have the contractor do that. Mr. Alfano stated and he also believes that they are working with the adjacent property owners to make sure that those properties are vacated during demolition. Mr. Glab asked when this is demolished will this be our property. Mr. Alfano stated it is our property now. Mr. Glab stated so it is not going to be similar to the Hollywood Theatre site. Mr. Alfano stated no we own the property. Mr. Glab asked if we should include in that motion where the other \$20,000.00 for back fill is coming from. Mr. Alfano stated that will be done in a separate motion. Mr. Difilippo asked if we're going to have a bunch of change orders on this. Mr. Alfano stated we brought that up to the contractor but there is always a potential for a change order. Mr. Difilippo stated what if they knock over one of the houses next to that. Mr. Alfano stated they made it perfectly clear that they will not be held responsible for damage to any of the adjacent properties. So Mr. Difilippo stated if they do something bad to one of the adjacent properties we are responsible. Mr. Melenyzer stated sure you are. Mr. Melenyzer stated we own lateral support of that building. Mr. Mariscotti stated and the issue came up that his property may be leaning on the Nautilus building and it may fall over or that once the nautilus building is taken down the wind currents may blow it over Mr. Melenyzer stated that the contractor can say one thing and the home owner can say another thing but there better be someone whether the borough engineer or the Redevelopment's engineer that looks at it and has the best interest of the borough.

Mr. Alfano stated we need a motion and he's guessing the amount is \$20,202.02 because the cost is \$171,717.17 and the difference is \$151,051.51 and that subtracted out is \$20,202.02 so he would say not to exceed \$21,000.00 to confirm with Kerry tomorrow and he can come down and get the check. Mr. Alfano asked for a motion.

Motion by Mariscotti/Bittner to authorize payment for compaction of the Nautilus building demolition site at a cost not to exceed \$21,000.00 to be paid out of the gaming revenue fund and then reimburse the fund once the property is sold duly carried on a roll call vote with all members present voting yes.

Mr. Difilippo stated he has a request from the Washington Health Systems that they are having a total computer change over the weekend of June 6,7 &8 and they have to be in that building those days so that cannot be the demolition weekend. Mr. Taday stated they said the first part of June.

UPDATE FROM SOLICITOR ON ZONING LITIGATION

Mr. Melenyzer stated the Cal U hearing was held at the Court of Common Pleas and the judge denied our motion to quash and then she came back and dismissed it with prejudice. Mr. Agrafiotis stated she threw out their land use appeal for untimeliness. Mr. Melenyzer stated so that is done. He stated the Maund case is still pending in front of Judge DiSalle and we've filed all the motions on that case to keep up with it. Mr. Melenyzer stated he thinks there is one more. Mr. Agrafiotis stated Mr. Finn's claim is being handled by the insurance company. Mr. Agrafiotis stated there is still that case with Mr. Finn from last month's Conditional Use Hearing.

EXTENSION DEPOSIT AGREEMENT – PA AMERICAN WATER

Mr. Alfano stated we need a motion by council to authorize Council President to sign the Extension Deposit Agreement with PA American Water at a cost of \$3,811.51.

Motion by Mariscotti/Difilippo to authorize signing the PA American Water Extension Deposit Agreement with a cost of \$3,811.51 duly carried on a roll call vote with all members present voting yes.

TRANSFER FROM BOND PROCEEDS TO GENERAL FUND

Mr. Alfano stated that we need a motion from council to transfer funds from the Bond Proceeds Account to the General fund \$13,096.44 to pay CM Service invoice #14-041.

Motion by Difilippo/Mariscotti to transfer from the Bond Proceeds Account to the General fund \$13,096.44 to pay CM Services invoice # 14-041 duly carried on a roll call vote with all members present voting yes.

MOVE LIGHT POLE – WEST PENN POWER - \$10,000.00

Mr. Alfano stated another result of the meeting last night with CM Services is they let us know that there is a West Penn Power pole located on the back of the property here and is illegal by today's code standards and the transformers and things are too close and we're going to have to have that pole move. This will cost about \$10,000.00 and they need a three month leeway.

Motion by Bittner/Mariscotti to pay West Penn Power \$10,000.00 from the Bond Proceeds Account to move the pole behind the borough building duly carried on a roll call vote with all members present voting yes.

PUBLIC HOUSING – MR. GLAB

ZONING UPDATE

Mr. Glab stated the zoning office made deposits last month in the amount of \$2,115.00 for various inspections and rentals.

OPENING DEMOLITION BIDS – 72 SECOND STREET

Ms. Evans opened the bids and they were as follows:

Britton & Sons with a bid price of \$4,498.00 bond attached.
AW McNabb, Inc. with a bid price of \$6,400.00 and a certified check.
Doctorick Ground Maintenance with a bid price of \$6,500.00 and no bond or check.

Mr. Alfano stated we have two good bids to consider and asked council what they wanted to do.

Motion by Difilippo/Mariscotti to award this project to the lowest bidder, Britton & Sons to demolition building at 72 Second St. at a cost of \$4,498.00 duly carried on a roll call vote with all members present voting yes.

Mr. Buchanan stated he would like to make a point of clarification that it says back fill and not clean fill and was that specified in our contract. Mr. Petro confirmed that there was only the advertisement and no bid specifications or contract.

CONDITIONAL USE HEARING- IAN FINN

Mr. Glab stated last month prior to the regular meeting council held a conditional use hearing for Ian Finn and he was unable to be at the hearing so he can't make a motion or list any conditions. Mr. Alfano asked Mr. Agrafiotis to give a synopsis of that hearing. Mr. Agrafiotis stated he has three people and wants to add a fourth person and the issue as he remembers is that he has a driveway that can fit 2 vehicles not three as per our ordinance and Mr. Finn stated the third would be the garage and Mr. Agrafiotis stated per our ordinance that is incorrect. So he needs spaces for 4 vehicles so he has to go out and get 2 spaces. He asked Mr. Petro if there were any more issues that need met. Mr. Petro stated that he would like the third floor, which is to be used as a fourth bedroom, inspected by McMillen Engineering to see if it is adequate and complies with the current codes and the cost of that inspection would be paid for by Mr. Finn. Mr. Mariscotti stated the only issue he has is how we will enforce if there is two or three cars parked in his driveway and it's not going to be him causing the issue but his tenants. So how can we enforce it? Mrs. Gutosky stated and then there is the issue of the neighbor not being able to get in their door if three cars are parked back there. Mr. Alfano stated so if he will have to meet all the conditions prior to increasing his occupancy. Mr. Melenyzer stated he has two spaces and needs two so how can he fix it? You can approve it conditionally based on X, W, & Z but can he do X, Y, & Z to get into compliance. Mr. Melenyzer stated but he understands because of the physical layout that he cannot do one of the conditions. Mr. Petro stated he lease two parking spaces from someone else. Mr. Melenyzer asked what was said about the third floor. Mr. Bittner stated he wants McMillen to check the third floor to make sure it is habitable at Mr. Finn's cost before he's granted anything.

Motion by Bittner/Mariscotti to approve the Conditional Use for Ian Finn upon the following conditions: First McMillen inspects 3rd floor to ensure habitability at Mr. Finn's cost, Second that he be able to provide two additional parking spaces via yearly leases, and Three pave the existing parking area duly carried on a roll call vote with all members present voting yes except Mr. Glab who abstained for not attending the conditional use hearing.

CONDITIONAL USE HEARING – SEPESKY

Mr. Glab stated this week we had the conditional use hearing for the Sepesky's bank property and he asked council what their wishes are. Mr. Bittner stated he would like to proceed with this tonight. Mr. Glab stated the three conditions he had listed from the hearing are 1. The windows on the second floor be restored to their original style, 2. That two additional long term parking spaces and proof be provided to us, at least one year leases, 3. A signed lease with PNC that is turned into the borough within 120 days plus two automatic 30 day extensions can be granted, and 4. Mr. Sepesky pay the borough for the additional fees incurred in the amount of \$338.00 duly carried on a roll call vote with all members present voting yes.

694 HIGHT STREET – MR. MATSKO

Mr. Melenyzer stated he had received a call from Mr. Matsko concerning the property that the borough wants demolished located at 694 High Street and he wants to waive it over to the borough but he is bringing to council. Mr. Glab asked if there is any value to the property and the demolition will cost us about \$5,000.00. Mr. Mariscotti stated he would be willing to buy it for \$5,000.00 empty. Mr. Melenyzer stated and the borough would have to pay any taxes owed on it. Mr. Glab stated the property is assessed at \$1,500.00. Mr. Glab stated he doesn't think the borough is ready to act on this tonight so council should think about it and we'll address it at the next meeting.

SHANNAN KRATZER – CLASS

Mr. Alfano stated he spoke with Mr. Kratzer who is in class this week and he had spoke to the inspector general of labor and industry and he stressed very vehemently the need for municipalities to be protected in litigation by contracting with someone such as McMillen since when we don't have a certified inspector in house. Mr. Melenyzer stated we did not sign a formal agreement but we did hire them to do this. It is not the agreement that covers you it is the person who goes in and does the inspections. Mr. Agrafiotis stated he spoke with Shannon tonight who is going to provide this gentleman's email or contact information so that we can check it out and

see where he was going with that comment. Mr. Alfano stated it wouldn't hurt to just look into it and make sure we're protected. Mr. Melenzyer stated that is his job.

PUBLIC WORKS -MR. MARISCOTT

STREET DEPARTMENT UPDATE

Mr. Mariscotti stated the guys have 90% of catch basins cleaned and there is a Cross Drain out on Chestnut that needs repaired in the next couple of weeks.

PAVING PROJECT

Mr. Mariscotti stated we are doing a paving project this year at Skyline and Ellsworth Streets and we have three options provided by Stephanie Whitlach at Municipal Services and they are
A. mill the entire street at a 1 1/2" and pave with a 1 1/2" and that comes in at \$178,000.00 and
B. Milling a 1 1/2" and paving of 1 1/2" on the left side of Route 88 that would be Skyline and Ellsworth and paving 1 1/2" and recessing manholes on the right side of Route 88 at 152,000.00.
C. Is no milling but 1 1/2" overlay and resetting manholes and that comes in at \$162,000.00.
He stated that it is he and Jeff's recommendation that we go with option B which is milling and paving at \$152,000.00 and be paid from Liquid Fuels/ Highway Aid fund. Mr. Bittner stated this is just the amounts to go out for bids. Mr. Mariscotti stated that is correct. Ms. Evans asked if she could get a copy of what Mr. Mariscotti just read from.

Motion by Mariscotti/Difilippo to have Penndot secure bids for milling and paving of Skyline and Ellsworth Street duly carried with Mr. Difilippo, Mrs. Gutosky, Mr. Mariscotti and Mr. Alfano voting yes and Mr. Glab and Mr. Bittner voting no.

ARMSTRONG AGREEMENT

Mr. Mariscotti stated the Armstrong agreement is back and he said Tim did a very good job negotiating the places that will have free internet service and he can tell you about that. Mr. Buchanan stated the original document has already been approved except exhibit A and he has over the past several week negotiated and these are the locations and keep in mind this is for internet access as well as high speed and cable television for the Borough of California Municipal building, 225 Third St., Borough of California Street Dept., 311 Ash St., Borough of California Sewer Dept. on Mechanic Street, the Borough of California combined facility on Poplar Drive, the Borough of California Public Library 100 Wood St., Borough of California Ambulance Service at 101 Wood Street, Borough of California Fire Dept. Station 23 at 1000 Wood Street, and the California Area School District both the Middle School and High School. Mr. Buchanan stated we will need a motion to accept Exhibit A as part of the contract.

Motion by Mariscotti/Difilippo to accept Exhibit A as presented as part of the Armstrong Cable Contract duly carried on a roll call vote with all members present voting yes.

PUBLIC SAFETY – MR. BITTNER

POLICE PROGRAM – APP ARREST

Mr. Bittner stated there was a misunderstanding along the line and it was not put on the agenda and he's taking the blame for that because he has broad shoulders. As of right now he would like to approve the payment even though we've had it in operation and Chief's had it in the newspaper already in the amount of \$ 1,289.25.

Motion by Bittner/Mariscotti to authorize payment for App Arrest program at a cost of \$1,289.25 duly carried on a roll call vote with all members present voting yes.

PARKING AT EAST AND SECOND STREET

Mr. Bittner stated according to the recommendations of Chief Encapera and Street Commissioner Jeff Tuday he makes the following motion;

Motion by Bittner/Glab to eliminate Parking Meter # 51 at the intersection of East Alley and Second Street due to a safety hazard duly carried with all members present stating aye.

Mr. Bittner stated that Chief Encapera has provided to us a law concerning parking at intersections and we need to look at that and there are possibly other parking stalls that need removed to make our intersection safer.

Mr. Bittner stated he thinks that we should do some 3rd party background checks viewing on past record over the last 18 months and he apologizes for not having the information tonight. But he thinks before we continue hiring he thinks we should have hired a third party to do back ground checks.

FINANCE –MRS. GUTOSKY

PAYMENT OF MONTHLY BILLS

Motion by Gutosky/ Mariscotti to pay the monthly bills as presented duly carried on a roll call vote with all members present voting yes and Mr. Bittner voting with the exception of the two medical payments.

PUBLIC HEALTH – MR. DIFILIPPO

HIGHPOINT WATER & SEWAGE

Mr. Difilippo stated this has been on his agenda for the last two and half years now. Council attended a get together with PAWC and they had a couple conversations and we should be having a meeting on June 5th with the folks from PAWC. Mr. Alfano stated we should also invite council members from neighboring municipalities as well.

PAYMENT REQUEST – FAYETTE ENGINEERING – PEACH ALLEY INSPECTIONS

Motion by Difilippo/Mariscotti to pay Fayette Engineering's invoice # 22955 in the amount of \$11,048.98 duly carried on a roll call vote with all members present voting yes.

PAYMENT REQUEST – FAYETTE ENGINEERING – GIS PROJECT

Mr. Difilippo stated we have invoice # 22956 from Fayette Engineering for the GIS Project in the amount of \$5,379.00 and he asked if this was the final bill. Mr. Leer stated no but he will look into it in greater detail but he believes the cost was not to exceed \$15,000.00. He's hoping within a month they will finalize data collection and get it up and running.

Motion by Difilippo/Gutosky to pay Fayette Engineering's invoice #22956 in the amount of \$5,379.00 duly carried on a roll call vote with all members present voting yes.

Mr. Difilippo stated he would like to initiate a peer review because we are now into our third project manager for the sewer plant and he just wants to make sure everything is on track. He will make that in the form of a motion if needed. Mr. Difilippo stated he has a list but does not have it tonight. Mr. Melenyzer stated you don't have to advertise it but you do need a motion stating the cost of the peer review. Mr. Difilippo stated he will have that cost at the next meeting.

Mr. Weld asked if the Fayette Engineering bill for the Peach alley inspection and what time frame did that cover and what services. Mr. Leer stated that is for a full time inspector and project management services etc. Mr. Weld asked how long this bill for is. Ms. Evans stated it is for the month of April. Mr. Leer stated we are about 12% of the project cost for inspection services and that cost is typically 15%- 17% of the project costs. Mr. Alfano stated it is a budgeted item in the contract specifications. Ms. Evans stated no that is incorrect and inspection services are not included in the contract and that was done at a later meeting with no cost given.

MAYOR'S REPORT – MR. WELD

SELLING BOROUGH VEHICLES

Mr. Weld stated he will ask again this month about selling the vehicles or advertise them for sale. Ms. Evans stated we received two bids for the crown Victoria. Mr. Melenyzer stated lets open the bids. The bids were Joe Wilson of West Brownsville at \$330.50 and Robert Staley of Coal Center of \$326.27

Motion by Mariscotti/Difilippo to sell the 2005 Crown Victoria as is; without equipment to Joe Wilson for \$330.50 duly carried on a roll call vote with all members present voting yes.

Mr. Weld asked now what do we do with the sewer truck. Mr. Weld asked Mr. Tудay what the green sewer truck is worth. Mr. Tудay stated he looked it up yesterday and it is \$3,000.00 if it is in good condition. Mr. Tудay stated but this is a Chevy truck with a ford bed and the brake lines are all rotted off. Mr. Alfano stated let's just advertise it and sell it. Mr. Alfano asked if it runs.

Mr. Difilippo stated we bid it once and received no bids at a minimum cost of \$3,300.00 with plow still on it. Mr. Mariscotti stated let's put it on Craig's list. Mr. Alfano stated anybody that knows how to maneuver around Craig's list put it on there please.

OFFICER HAINES – 180 DAYS PROBATION EXPIRES

Mayor Weld stated Officer Haines 180 days probation period expires on May 13, 2014. Mr. Alfano stated he's seen the police reports and she's doing a good job. Chief stated that she is an excellent officer and recommends hiring her as a permanent officer.

Motion by Mariscotti to hire Officer Haines as a permanent full time police officer effective May 13, 2014 duly carried on a roll call vote with Mr. Difilippo, Mrs. Gutosky, Mr. Mariscotti, Mr. Alfano voting yes and Mr. Glab and Mr. Bittner voting no.

RALLY IN THE VALLEY

Mayor Weld announced that there will be a rally in the valley on June 14th at the old Hollowood Theatre site and it is a spiritual rally and everyone is welcome free of charge. Mr. Alfano asked if Washington County Redevelopment Authority was notified. Mayor Weld stated the gentleman in charge of the rally has spoken with them.

ENGINEER'S REPORT – VAUGHN LEER

SEWER PLANT UPDATE

Mr. Leer stated this project continues to progress on schedule. First Energy corporate in Ohio needed some more information on the easement and that's been taken care of and retransmitted to them and we're now waiting on their execution of the agreement. PAWC has already been discussed. The general contractor's progress is continuing and they will be pouring the walls of the uv structure next week. The garage/treatment plant building has been delivered on April 17th. The sidewalks on top of the SBR are complete. The electrical contractor is still placing conduit.

PAYMENT REQUEST – MELE & MELE & SONS

We have a payment request from Mele & Mele & Sons Estimate #9 in the amount of \$292,779.88.

Motion by Bittner/Gutosky to pay Mele & Mele & Sons for estimate #9 in the amount of \$292,779.88 duly carried on a roll call vote with all members present voting yes.

H2O REIMBURSEMENT

Mr. Leer confirmed with Ms. Evans that the final reimbursement has been received and deposited in the bank.

PEACH ALLEY PROJECT

Mr. Leer stated the contractor continues the contract work as specified and the excavation is almost complete and the only thing that remains is Strawberry alley. Paving was supposed to happen this week and has been pushed back to next week. Mr. Leer stated originally they had provided us a quote for the potential milling and a 1 ½" over all the streets affected by the project. We've negotiated them down and they are willing to do milling and overlay on Second and Liberty for \$15.25 per sq. yard. Right now we're negotiated with them about the borough retaining the millings for the borough. We should know something Monday morning. Mr. Alfano asked if they are going to do that first or just do the binder. Mr. Leer stated right now they will just do the binder on the patches. Mr. Glab asked about the compaction stating that the current trenches have had plenty of settling time with the rains and things but the new excavation for the catch basin and that is going to be fresh work and it won't have time to settle and compact so are they going to compact it or are we going to end up with a dip there overtime. Mr. Leer stated the intention is to have them put it in and compact it however at the end of the project whether there is settlement or isn't you have a one year maintenance bond with the contractor and you can call him back in to repair or replace any items. Mr. Glab asked if one year is sufficient enough time for imperfections to appear.

PAYMENT REQUEST – BELLA ENTERPRISE

Mr. Leer stated we have payment request #4 from Bella Enterprise in the amount of \$127,105.25.

Motion by Mariscotti/Gutosky to pay Bella Enterprise for estimate #4 in the amount of \$127,105.25 duly carried on a roll call vote with Mrs. Gutosky, Mr. Mariscotti, Mr. Alfano, and Mr. Bittner voting yes and Mr. Difilippo and Mr. Glab voting no.

Mr. Leer stated that he has had discussions with the contractor about the four change orders and they have decided to take the four change orders attached to the engineers report and sit down and negotiate and come up with a fair and reasonable solution. Mr. Alfano stated the change orders were discussed in length during Wednesday's construction meeting and pretty much they are to let Fayette Engineering know on no uncertain terms whether they are going to work with us to get this project done or not.

GIS PROJECT

Mr. Leer stated that was previously discussed and asked council if there were any questions.

SMOKE TESTING – EAST ALLEY

Mr. Leer stated the report was given to council at their agenda meeting last week and again there are 5 inlets connected, 21 downspouts, 12 sewer main issues where smoke was emanating from the ground, and others issues like cleanouts, driveway grates totally 18 of those.

BLIGHTED PROPERTY INSPECTIONS

Mr. Leer stated the blighted property inspections were at 694 High St., 909 and 911 Apple Street, and 268 South Ridge Rd. and 124 Rear Second St. and he believes Mr. Petro will take it from here.

BOROUGH MANAGER'S REPORT – MR. BUCHANAN

ELECTRONIC RECYCLING

Mr. Buchanan stated the electronic recycling this week was mainly focused on the University and University students because they tend to dump things out. It worked out nicely and there were a number of volunteers and we had some orange pop up tents set up and they distributed information about recycling and the schedule. For May 31, 2014 he is working with Advanced Disposal and have a community day clean up. It will be at the same location and there will be approximately 6 roll offs and we're going to do Leaf collection, White box collection, Electronic recycling, as well as a large furniture pick up. The electronic and large furniture collections we will have people come and do curb side service for people who can't get them out. He is working with Jim Gebicki and it is going to be a bid community wide day and we're asking everyone to get involved and join us down there because it will be a kind of party atmosphere. Additionally, May 30 and 31 will be phase II of Pike Run clean up so by Sunday we should have a lot of things accomplished and he's pleased with that. Mr. Mariscotti asked what a white box collection is. Mr. Buchanan stated that is washing machine, dryers, refrigerators, etc. Mr. Buchanan stated we're making arrangements for a local vendor who is licensed to do that and we're asking Advanced to pay their fees and then when you bring these items to the recycling station we will remove them and red tag them and they will go straight through. We chose the 31st because we need to be aware of what we do and he believes we should be providing an easier opportunity in disposing of them but he also wants them to help us and be part of the community so they respect what we do. Mr. Buchanan stated the community should also know that on July 12, 2014 we're working with Mr. Kirk and at Roadman Park and there will be multi municipal collection of household cleaners and chemicals so after we get all the junk out of the places we can get all the paint cans, paint thinners, and cleaners and things out also. Mr. Mariscotti asked if the garbage company will be here every day next week picking up. Mr. Buchanan stated yes they will. Mr. Mariscotti stated one week or two. Mr. Buchanan asked him if he would like it split since they've already met their one week we could do it the week before school starts so when the landlord come back and push it out on the streets we can have it cleaned up. Mr. Buchanan stated it was stated in the contract as consecutive weeks but he can try to renegotiate that. Mr. Alfano stated see if they will do that if not that's fine.

SAFETY MEETING REPORT

Mr. Buchanan stated that the Safety Committee just received copy of a safety policy planning kit and will be developing a safety handbook. And he complimented all the safety committee meeting for watching out for the public and each other.

GRASS CUTTING

Mr. Buchanan reminded everyone that if you are a renter you need to check your contract and the grass is growing and we are very serious about the policies this year so you need to check if you as the renter are responsible or your landlord is responsible because we're going to strictly enforce the policy this year.

BOROUGH HOURS

Mr. Buchanan stated we are looking to expand the borough service hours and the survey that was done in 2009 had discussions about people on their way to work or coming from work will now have access to our services so what he would like to do is evaluating this is take single person and employee from 8:00 to 4:00 and take another person and employ them from 9:00 to 5:00. So an extra ½ hour in the morning would be covered and an extra ½ hour in the evening would be covered. The rest would report as it's been. He stated if anyone's come in here after 4:30 that phone continues to ring off the hook. So one as his position as Borough Manager director of staff or as necessary from personnel committee he would like to get some feedback from council. Mr. Alfano stated he thinks it is a good idea and there is a lot of folks shaking the door out there wanting to pay a ticket or a sewage bill and they are not getting the opportunity to do it. Mr. Mariscotti stated a lot of people work 9:00 to 5:00 so he thinks it is a good idea also. Mr. Buchanan asked how council would like him to proceed. Mr. Alfano stated if you can arrange the staff's shift that is fine. Mr. Buchanan stated if he hadn't already done that he wouldn't have brought it up tonight.

POLICE AIR CARDS

He had been discussing with the Chief changing the air cards had originally went out and found a contract price with Sprint for brand new cards, however Ms. Evans stated our current carrier has called today and dropped their price so he'd like to monitor this and perhaps bring it up at a later time.

E-GOV AFFILIATES

Mr. Buchanan asked the E-gov people to please introduce themselves. Mr. Dave Henderson with Franklin Township, Erie County, Mr. John Shaffer, President of Shaffer Technologies, and Mr. Alan Kugler, who is here on behalf of the Mid Mon Valley Inter Governmental Cooperative and thanked council very much for the use of the municipal building to introduce the E-gov process to others.

APP ARREST

Mr. Buchanan stated that the new California Borough Police App has been launched and we are getting extraordinary feedback on it. There have been some pictures in the local newspapers already. Mr. Buchanan stated what we did was the borough app that he had talked about a few months ago we took the police app and feathered those two together. If there is a storm coming it tracks all weather alerts, if there is something that the police need to get out to the public they will put it in and it will send a text message out to everyone and there is a community calendar on it so he encourages everyone to check it out. Chief Encapera stated he would like to expand the calendar part of the app and he encourages all organizations, churches, schools, etc. to send him the information and he will be more than happy to place on the calendar.

CONTINUED MEETING

Mr. Alfano asked if we could continue this meeting in case we need to vote to approve the paving prior to our next regular meeting at our agenda meeting. The meeting will be continued to 6:00 pm on June 5, 2014. Mr. Leer stated if a vote is needed prior to the 5th we can do a phone call voice vote and reaffirm it on the 5th's continued meeting.

SOLICITOR'S REPORT

VITALE & DOG SUIT

Mr. Melenyzer stated that we have been trying to settle the Vitale and the dog case. Mr. Melenyzer stated sure enough before they went in front of the judge she filed a law suit under Garcia. Mr. Melenyzer stated he didn't think she could go under Garcia but she did. The judge asked why that dog should not be given to the borough. So we had that case won so now the question is do we continue to go through more litigation and pay more attorney fees so finally she said she had \$500.00 in her pocket to pay for the dog. Mr. Melenyzer stated in some cases your attorney fees can exceed the value of what you are getting. With that said she could have even filed another law suite so we agreed on a release. Then there was a question raised about the dog food and it is said that someone donated the dog food. She got the dog food free and she had our dog and it is absolutely absurd. But anyone that is settled and done and the release was looked over and it's good. So this is finally finished and will be filed and over with.

CONDEMNATION DEMOLITION OF PROPERTIES

Mr. Agrafiotis stated that Mr. Petro would like three properties to start condemnation demolition proceedings on so we should make a motion for each; the first one being 268 South Ridge Road so we need a motion to start the condemnation procedure on that. Mr. Alfano asked council what they wanted to do. Mr. Difilippo stated he thought we were doing downtown first. Mr. Petro stated this is owned by Sandra Wawro and she's been contacted already. Mr. Difilippo stated it is his opinion that we start cleaning town up first. Mr. Alfano stated if it isn't council's wishes then don't make a motion. Mr. Agrafiotis stated it is his understanding that Fayette Engineering stated this is public safety hazard. Mr. Melenyzer stated if it is a safety hazard then we can forgo the usual procedure so do we have a report done on it. Mr. Melenyzer it is one thing if a building costs more to fix the building up then you go through the process but if it is labeled a safety hazard it is different. Council was given pictures of the property. Mr. Petro stated she wants to cooperate with the borough. Mr. Alfano stated we don't particularly want to own that property. Mr. Alfano asked John if he wants to table it or wants a motion tonight. Mr. Petro stated that property was one of the worse ones and the engineers said pretty much that it needs removed but the other two properties we have the option of starting with the condemnation procedures and having them fix it up or demolish it. Mr. Bittner stated we have just stated publicly that this building is a hazard is that correct. John Petro stated correct. Mr. Bittner stated it has been declared a hazard by our engineer. Mr. Petro stated that is correct. Mr. Bittner stated if someone goes out there and gets hurt and we have knowledge of it because it was publicly stated tonight we have one big problem on our hands. He thinks it is incumbent upon us to correct this problem. Mr. Bittner stated we need to do something with it. Mr. Melenyzer stated council is going to have vote on something.

Motion by Bittner/Difilippo to start the demolition procedure established in Ordinance # 401 for the property at 268 South Ridge Road duly carried on a roll call vote with Mr. Mariscotti, Mr. Alfano, Mr. Bittner, Mr. Difilippo voting yes and Mr. Glab and Mrs. Gutosky voting no.

Mr. Petro asked about the other two on the list you have requests from the engineer. Mr. Alfano asked council if they want to address these or not. Mr. Leer stated their recommendation on those two properties is that they are fire hazards and public safety hazard but they are not in such condition that would warrant immediate demolition and they can be repaired. You may consider citing them under the ordinance to fix their property. Mr. Alfano stated that doesn't take a motion by council. Mr. Melenyzer stated they have to be boarded up even if we have to spend the money to board them up. Mr. Bittner stated can we try to make them come into compliance first. Mr. Petro stated we can cite them under the property maintenance code and then if not we'll go to step #2. Mr. Glab asked if there are any postings we can place on those properties. Mr. Petro stated they are already posted. Mr. Alfano stated he thinks the solicitor needs time to review these and in the meantime do what you can under the property maintenance code. Mr. Melenyzer stated the property maintenance code will only get them noticed and what needs to be corrected and that sort of thing but has nothing about initially condemning and that's okay he doesn't have a problem with that but they need to know what we are sending them out to do because we are using terms that are interchangeable. It's not that we're doing it intentionally but we have condemnation and citing under the property maintenance code those two things are on both side of the river. Mr. Petro stated all the violations that are listed in the condemnation and demolition process are cited from the property maintenance code. Mr. Melenyzer asked Mr. Petro if he knows what he is to do with these. Mr. Petro stated yes he does. Mr. Melenyzer

stated so you're going to go to condemnation if you need to because of safety. Mr. Petro stated under the property maintenance... and Mr. Melenyzer stated he didn't ask him that. Mr. Melenyzer stated he needs to talk to John and the engineers so he's not giving a quick legal opinion as to what to do with the property and it concerns him if it is a hazard and a safety issue because then you really have a problem.

OLD BUSINESS

No old business

NEW BUSINESS

No new business

RECOGNITION OF CITIZENS

MR. MADDIEX

Mr. Maddiex asked if the Rotary Park under Mr. Alfano's report was the Big Event and Mr. Alfano stated yes it was but it was covered previously. Mr. Maddiex stated the Planning Commission meets June 3rd at 6:30 here in the chambers and asked that the planning commission meeting be put on the new app.

Mr. Alfano announced that council will have an executive session on legal issues and that this meeting is continued until June 5, 2014 at 6:00 pm