

Regular Meeting of California Borough Council, May 9, 2013, 6:30 pm

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

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

ABSENT: Mayor Durdines

MOMENT OF SILENCE PLEDGE OF ALLEGIANCE

ADDITIONS OR CHANGES TO AGENDA

Mr. Alfano added demolition appraisal for Ruffolo property

Mr. Alfano added the Gun Club subdivision

Mr. Alfano added the SAI Site plan

Mr. Alfano added vacating alley petition from Mr. McFaddin

Mr. Alfano added vacating alley petition from Mr. Todd

PUBLIC COMMENT

Mr. Maddiex stated at the committee meeting he questioned whether or not the funding was appropriate and he has since found out that it is so he approves of it and he suggested that at least one copy go to the California Public Library.

MINUTES

Motion by Difilippo/Alfano to approve the minutes of the Regular meeting of April 11, 2013 carried with all members present stating aye.

Motion by Difilippo/Gutosky to approve the minutes of the continued meeting of April 18, 2013 carried with all members present stating aye.

PRESENTATION BY JUDICIAL CANDIDATES

Mr. Blaine Black introduced himself and spoke a little about his background.

Mr. Chuck Kurowski introduced himself and spoke a little about his background.

SECRETARY'S REPORT – MS. EVANS

Ms. Evans read the accounts payable and account balances for April 2013.

Motion by Difilippo/Mariscotti to approve the Secretary/Treasurers report duly carried with all members present stating aye.

PRESIDENT'S REPORT – MR. BITTNER

FEMA FLOOD INSURANCE RENEWAL – LIBRARY

Mr. Bittner stated we have received the renewal for the FEMA flood insurance for the library and there are two options, the current coverage is \$820.00 or increased coverage at \$884.00 and asked council what their pleasure is.

Motion by Alfano/Encapera to renew the flood insurance for the Library at a cost of \$884.00 duly carried with all members present voting yes except Mr. Mariscotti who abstained since this policy is written through his agency.

HISTORICAL SOCIETY SIGNS

Mr. Bittner stated they were told to park where the no parking signs are at along the side of the building and the new officers we have now do not recognize the cars so they wanted to know if we could place some kind of sign there designating that for the Historical Society parking when they are working there during the day.

Motion by Mariscotti/Gutosky to provide parking signs for the Historical Society duly carried on a roll call vote with all members present voting yes.

DCED – PEER ASSISTANCE FOR THE PUBLIC WORKS DEPT.

Mr. Bittner stated it costs nothing for the borough. It is similar to what they do for the police department. They come in and do an evaluation and make suggestions and he would like them to come in and do that and there is a form we need to fill out and submit.

Motion by Glab/Difilippo authorize requesting the peer assistance review from the DCED for the Street Dept. carried with all members present stating aye.

BAIANO CONSTRUCTION PAYMENT – EST. #10

Mr. Baiano stated we owe Baiano Construction \$81,151.83 for estimate #10 and we still are holding some money until the issues that Mr. Taday has are resolved.

Motion by Glab/Alfano to pay Baiano Construction \$81,151.83 for Est. #10 duly carried on a roll call vote with all members present voting yes.

ELECTRONIC RECYCLING

Mr. Bittner announced that Electronic Recycling will be held on May 16th from 9:00 – 5:00 and May 17th from 9:00 to 2:30 and the collection point will be on Third St. between Green St. and East St.

BULK HAULING CURB SIDE PICK UP

Mr. Bittner stated that County Hauling does this every year for us and it will be the week of May 13th, Monday through Thursday, any bulk items may be put out for pick up and again May 20 through the 23rd they will be collecting bulk items again. Their regular garbage pick-up and recycling will still be the regular schedule.

SMALLWOOD POLLING PLACE

Mr. Bittner announced that the Smallwood polling place has been closed and anyone that voted there will now vote at the Christian Church on Malden Crossroads. He stated there are still four voting precincts but only two polling places.

PUBLIC HOUSING – MR. ALFANO ZONING/CODE ENFORCEMENT UPDATE

Mr. Alfano stated they are very busy and have issued approximately 50 warnings for grass this week and they are only issuing one warning from this time on and after the first warning they will file citations. The income for the year in the Zoning Dept. as of the first week of May the total for the year is \$108,226.05.

PLANNING COMMISSION

Mr. Alfano stated the Planning Commission met this past Tuesday and reviewed the plans for the SAI new building and Mr. Petro can update us on that. They extended their meeting until May 13th, this coming Monday, to meet with McLaughlin, Cornelius, & Filoni who have been retained to do a master plan for the downtown revitalization. They unfortunately had to cancel so it will be up to the planning commission if they want to extend their meeting until the next date they have available which is June 3rd.

DOG LEASH LAW SIGNAGE

Mr. Alfano stated he has been looking at getting some signage indicating that California Borough has a dog leash law and pet owners should start cleaning up after their pets especially in the downtown area. He will work with Tony and Jeff concerning the verbiage on the sign and the numbers of signs needed. He will report back to council once he has that information.

FIGHT THE BLIGHT SEMINAR – KRATZER & CLANCY

Mr. Alfano stated that Shannon Kratzer and Lori Clancy are going to attend the seminar called Tools in the Blight Fight and it is a three part series which will take place on May 10th, June 14th, and the July 12th. The cost is \$85.00 inclusive and their wages.

Motion by Alfano/Difilippo to authorize S. Kratzer and L. Clancy to attend the Blight Fight seminars at a cost of \$85.00 and wages duly carried on a roll call vote with all members present voting yes.

PROPERTY APPRAISAL – LIGNELLI

Motion by Alfano/Gutosky to hire DeMerrico Lignelli Real Estate firm to appraise the Joseph Ruffolo property located at 72 Second Street as required by the condemnation and demolition ordinance #401 at a cost not to exceed \$500.00 duly carried on a roll call vote with all members present voting yes.

CALIFORNIA HILL GUN CLUB SUBDIVISION

Motion by Alfano/Glab to approve the subdivision of the California Hill Gun Club to sell 7.7 acres to Norfolk Southern Railroad for their yard expansion subject to them completing the two corrections noted in Fayette Engineering's letter dated May 6, 2013 duly carried on a roll call vote with all members present voting yes.

SAI SITE PLAN FOR STUDENT UNION

Mr. Alfano stated that the Planning Commission did a site plan review for the Student Association, Inc. for an addition to the existing Natalie Student Center.

Motion to approve the site plan for the Student Association, Inc. on the addition to the Natalie Student Center, plans submitted by WTW Architects dated Sept. 17, 2012, contingent on the review and approval of the storm water plan by Fayette Engineering duly carried on a roll call vote with all members present voting yes.

VACATING STREETS

MCFADDIN'S PETITION

Motion by Alfano/Difilippo to approve the vacating street petition and to authorize the solicitor to draft an ordinance to vacate the unopened portion at 993 Pennsylvania Avenue as per Mr. McFaddin's petition duly carried on a roll call vote with all members present voting yes. Mr. Alfano asked if we can have him modify his deeds to include that and Mr. Melenyzer stated no we are just vacating it and whoever owns property on one side gets half and the other side gets half and if you own both sides they get it all but there is no deeding or anything to anybody.

TODD'S PETITION

Motion by Alfano/Difilippo to approve the vacating street petition and to authorize the solicitor to draft an ordinance to vacate the unopened alley for Todd's business located at 63 Third Street contingent on receiving a new survey with a legal description of property from the owners per Mr. Todd's petition duly carried on a roll call vote with all members present voting yes except Mr. Encapera who stepped out of the meeting.

PUBLIC WORKS – MR. MARISCOTTI

STREET DEPT. UPDATE

Mr. Mariscotti stated they have been picking up trash and they are working on the flag pole at the circle to get it ready for Memorial Day

CABLE FRANCHISE HEARING

Motion by Mariscotti/Difilippo to advertise the cable franchise contract renewal public hearing to be held on June 6, 2013 at 5:30 pm here at the Municipal building.

COHEN LAW GROUP PAYMENT

Motion by Mariscotti/Alfano to authorize payment #2 to Cohen Law Group in the amount of \$4,193.33 duly carried on a roll call vote with all members present voting yes.

WASHINGTON COUNTY JOIN PURCHASING SUMMER BIDS

Mr. Mariscotti read the results of the Washington County Joint Purchasing summer bids results;

Regular Meeting:	5/9/2013				
Summer Bids: 2013	Washington County Joint Municipal Purchasing				
<u>ITEM</u>	<u>VENDOR</u>	<u>EST. QTY.</u>	<u>AMT</u>	<u>TOTAL</u>	
1. SUPERPAVE 9.5MM FINE GRADED	Hanson Aggregates BMC, Inc 2200 Springfield Pike Connellsville, PA 15425 Phone: (724) 626-0080	200 TONS	\$60.50/Ton FOB PLANT	\$ 12,100.00	
			All bituminous materials are bid with price adjustment of according to the ac index at time of production		
2. SUPERPAVE 9.5MM WEARING COURSE	Hanson Aggregates BMC, Inc	200 TONS	\$59.50/Ton FOB PLANT	\$ 11,900.00	
4. SUPERPAVE 19.0MM WEARING COURSE	Hanson Aggregates BMC, Inc.	100 TONS	\$53.50/TON FOB PLANT	\$ 5,350.00	
5. SUPERPAVE 19.0MM BINDER COURSE	Hanson Aggregates BMC, Inc.	100 TONS	\$53.50/TON FOB PLANT	\$ 5,350.00	
6. SUPERPAVE 25.0MM BINDER COURSE	Hanson Aggregates BMC, Inc.	50 Ton	\$52.50/TON FOB PLANT	\$ 2,625.00	
7. AASHTO #8	Hanson Aggregates	100 Ton	\$26.78/T DELIVERED	\$ 2,678.00	
8. #2 A	Hanson Aggregates BMC, Inc.	600 Ton	\$17.78/T DELIVERED	\$ 10,668.00	
9. AASHTO #57	Hanson Aggregates BMC, Inc.	200 Ton	\$20.03/T DELIVERED	\$ 4,006.00	
10. AASHTO #67	Hanson Aggregates BMC, Inc.	100 Ton	\$20.13/T DELIVERED	\$ 2,013.00	
11. AASHTO #4	Hanson Aggregates BMC, Inc	100 Ton	\$19.78/T DELIVERED	\$ 1,978.00	
13. R6 ROCK LINING (RIP Rap)	Laurel Aggregates	50 ton	\$22.95/T DELIVERED	\$ 1,147.50	
14. 15" PLASTIC PIPE	Advanced Drainage Systems 58 Wyoming Street Ludlow, MA 01056 866-691-2715 2 listed vendors as authorized vendors: Chemung Supply & Culverts Inc.	300 Feet	\$6.14/Ft. DELIVERED	\$ 1,842.00	
15. 18" PLASTIC PIPE	Advanced Drainage Systems	200 Feet	\$8.35/Ft. DELIVERED	\$ 1,670.00	
16. DIESEL	NO BIDS			\$ -	
Hanson	\$ 58,668.00		Total cost.....	\$ 63,327.50	
Laurel Aggregates	\$ 1,147.50				
Advanced Drainage	\$ 3,512.00				
	\$ 63,327.50				

Motion by Mariscotti/Alfano to approve Hanson Aggregates, BMC, Inc. in the amount of \$58,668.00 duly carried on a roll call vote with all members present voting yes.

Motion by Mariscotti/Difilippo to approve Laurel Aggregates in the amount of \$1,147.50 duly carried on a roll call vote with all members present voting yes.

Motion by Mariscotti/Difilippo to approve Advanced Drainage Systems in the amount of \$3,512.00 duly carried on a roll call vote with all members present voting yes.

STREET SWEEPER PURCHASE

More information is need on financing. Will address at continued meeting.

MOWER PURCHASE

More information is need on financing. Will address at continued meeting.

PUBLIC SAFETY – MR. GLAB & MR. ENCAPERA

BIKE SAFETY RODEO

Mr. Encapera announced on behalf of the Police Department, the elementary school, and Dax Thomas at State Farm he would like to announce the Bike Safety Rodeo will be held on Saturday, June 1, 2013 at 11:00 am to 1:00 pm at the California Elementary School Parking Lot. There will be a free bike safety course and you will also receive your photo bike license. Free snacks, hotdogs, chips, and drinks to all who attend and California Borough Police Department will inspect all bikes and helmets for summer safety. The Fire Department will also have a fire truck on hand.

ACTIVITY BOOKS FOR BIKE SAFETY

Motion by Encapera/Difilippo to purchase Bike Awareness Activity Books for Bike Safety Awareness course at a cost of \$1,000.00 plus shipping to be paid for out of the Dare Fund duly carried on a roll call vote with all members present voting yes.

BENCHES & TRASH CANS PURCHASE FOR DOWNTOWN AREA

Motion by Encapera/Glab to purchase six (6) park benches with the California logo at cost of \$911.43 each and to purchase thirteen (13) matching trash cans at a cost of \$609.57 each duly carried on a roll call vote with all members present voting yes.

TRANSFER MONEY – NEW POLICE VEHICLE

Motion by Glab/Gutosky to transfer money out of the General Fund Police Vehicle line item in the amount of \$10,000.00 into a police vehicle savings account duly carried on a roll call vote with all members present voting yes.

FINANCE – MRS. GUTOSKY

Motion by Gutosky/Glab to pay the monthly bills duly carried on a roll call vote with all Mr. Glab, Mrs. Gutosky, Mr. Alfano, Mr. Bitter, Mr. Difilippo, and Mr. Encapera voting yes and Mr. Mariscotti voting no.

GAMING REVENUE INCOME 1ST QT. 2013

Mrs. Gutosky announced that the gaming revenue for the first quarter 2013 was \$32,469.96. She added that half of that will go into the saving account.

PUBLIC HEALTH

DEQLINQUENT SEWER ACCOUNTS

Mr. Difilippo stated that the delinquent sewer accounts are about cleaned up and the only things he will add is they will not go that far anymore.

ENGINEERS REPORT – MR. JOHNSON

UPDATE ON WASTE WATER TREATMENT PLANT

Mr. Johnson stated they have received our NPDES permit which is the sanitary NPDES permit which allows the borough to operate both the existing plant and the new proposed plant. That is a dual permit and once the new plant is done they will de-commission the old one and that permit will be good. That will be posted both at the Municipal Building and the Sewage Treatment Plant beginning Monday for at least 30 days. The sewage treatment plant is currently out for bid and we have nine (9) general contractors bidding on it and ten (10) electric contractors as of 3:00 pm today. There is a pre-bid meeting tomorrow morning at 10:00 am and the bid opening will be on June 4, 2013 here in this room at 1:00 pm. We have received all the equipment submittals from the equipment suppliers that you executed agreements with previously.

PEACH ALLEY SEWER REMEDIATION PROJECT

Mr. Johnson stated that they do have the final alignment and they will finish those drawing within the next ten days or so and will seek council's approval to advertise that project at the June meeting.

GRANVILLE PUMP STATION

Mr. Johnson stated that specifically Pump #1. Ram Industrial was there to conduct all their pressure tests that they wanted to conduct. The result of that test is that both sides of that pump

station were operating identically therefore the issues with that pump are within that pump and nothing to do with piping or the pump station. Those reports have been forwarded to FLIGHT Pumps in Philadelphia. He spoke to Doug today and that number one pump, subsequent to this rebuild is doing just fine. Historically we got about a month out of it before malfunction so they will be keeping an eye on it.

BOROUGH ROAD INSPECTION CLASS

Mr. Johnson stated that the borough road inspection classes have been completed and the street department personnel were receptive and engaged and he expects them to do a fine job.

PENNVEST FINAL

Mr. Johnson stated that the Penn vest Loan he has a couple of documents for Jon to sign along with the final retainage estimate for Keegan. He expects to submit all of those to DEP and Penn vest by next Friday to final that loan once and for all.

ROTARY PARK CLOCK PROJECT

Mr. Johnson stated the design of the foundation has been completed and he found out tonight that there is a plaque that will be mounted so he may have to adjust a few minor things.

DUPERON PAYMENT

Mr. Johnson stated on the equipment contracts you have executed agreements with five separate equipment suppliers and the first part of their payment agreement allows them to submit for 20% of the total contract value upon their equipment submittals to Fayette Engineering for review. Duperon Corporation has completed that and that is what the \$22,400.00 invoice is for. Mr. Johnson stated we will see these start to come in every month. Keep in mind that 50% of that is reimbursable through your H2O grant. Because of the volume of paperwork he would like to do a reimbursement every quarter versus monthly.

Motion by Difilippo/Mariscotti to authorize payment to Duperon in the amount of \$22,400.00 in accordance to their contract duly carried on a roll call vote with all members present voting yes.

KEEGAN ELECTRIC – FINAL PAYMENT

Mr. Johnson stated Keegan electric was the electric contractor on the Granville/Malden Pump station project and he is requesting final payment in the amount of \$1,559.80. This is the release of their retainage. Mr. Bittner asked if there are any bonds left on this project and Mr. Johnson stated they have run their course and they are all done now.

Motion by Difilippo/Glab to authorize final payment upon completion of all paperwork in the amount of \$1,559.80 duly carried on a roll call vote with all members present voting yes.

PERSONNEL – MR. GLAB & MR. ENCAPERA

EXECUTIVE SESSION

Motion by Glab/Difilippo to go into executive session at 7:40 pm carried on a roll call vote with all members present stating aye.

Council reconvened at 8:00 pm

OFFICER TERRY CHILDS

Motion by Glab/Encapera to suspend Officer Terry Childs for thirty (30) days without pay for his actions over the weekend as described recently in the investigation effective the day he was removed from the schedule earlier this week and as a condition of the suspension he must return his key fob, badges, and mopec cards duly carried on a roll call vote with all members present voting yes.

OFFICER JUSTIN SHULTZ

Motion by Glab/Encapera to suspend Officer Justin Shultz for thirty (30) days, suspension for unpaid time frame beginning when he was removed from the schedule earlier this week as a condition he must also return his key fob, badges, and mopec cards as a condition of his suspension for his actions over the weekend as described recently in the investigation duly carried on a roll call vote with all members present voting yes.

SOLICITOR'S REPORT –MR. MELENYZER

Nothing to report at this time

OLD BUSINESS

Mr. Glab stated he was going through his files the other day and found a letter from the Chief directed to the Mayor and council regarding some stop signs he was requesting and he is going to forward a copy to Jeff to make sure they were done. It was dated June of last year. There are four stop signs; one at Second & First St., Green: & Fifth, Ash & Pennsylvania and Union & Pennsylvania.

NEW BUSINESS

No new business at this time

RECOGNITION OF CITIZENS

JIM MADDIEX

Mr. Maddiex announced that Planning Commission's regular meeting will be June 4th and we have a continued meeting on May 13th at 6:30.

CHERYL ERDELY

Mrs. Erdely stated that the Borough continues to owe Erdely, Inc. \$26,799.72. She stated that she has waited for a response from the Borough and has heard nothing. She stated her sister and her have agreed that they can split the money if need be. The business is open they have a permit to do business and the building is secured. There is no reason she should not have that money. Mr. Melenyzer stated he thinks she needs to have an agreement signed by both parties and notarized and presented to council and he will look at it and if everyone is agreement with dividing the money it's fine. He was receiving different statements regarding where this money was to go. Mr. Agrafiotis stated last inspection the third floor wasn't finished. Mr. Melenyzer stated if the 3rd floor isn't finished the money isn't going out. Mrs. Erdely stated but the building is secured. Mr. Melenyzer stated it doesn't matter if it is secured the insurance is to make sure the building is completely brought up to code. Mrs. Erdely stated the 3rd floor has nothing to do with that building and no one is going to live on that 3rd floor and nobody is going to live on the 2nd floor. Mr. Melenyzer asked if the 3rd floor was damaged. Mrs. Erdely stated it wasn't damaged until the fire department beat in her roof. Mrs. Erdely stated he is misinterpreting the law. Mr. Melenyzer stated he is not going to argue with her his only intention is to protect the borough. She stated that she believes she is being harassed and she has a lawyer. Mr. Melenyzer asked her to have him call him. She stated she is done on this issue but she has another issue for later.

BOYBOY ADUHO

He stated that he is here about Officer Childs and Officer Shultz. He does not see the benefit of suspending them for 30 days. They have been doing so many things that he believes council is aware of. Illegal situations like his and he does have a civil case against the borough and honestly if they are not fired he will pursue suing the borough. They harassed him, beat him, and kidnapped him from his premises. He stated he is not the only person in here who has been treated badly by Officer Childs and Shultz. He stated he started a petition last year that had over 800 signatures on it and nothing was ever done. Mr. Bittner asked him if he has filed a formal complaint with the borough or talked with the Chief of Police. He stated we spoke to the old Chief who hadn't done anything because they are doing what they've been doing. They just got caught but that is not the first time this has occurred. He stated he honestly feels that there is a little inner police code that they keep their mouths shut because they are officer or policy enforcers. In his case they threatened to charge him and at the end they told him they would see him at trial and he has yet to receive any charges and that was January 14th. He stood there without a lawyer or attorney in front of the DA and Magistrate. The magistrate tried to say go to trial because he knew what they were doing is illegal. He stated council knows what he is talking about and if nothing more is done he will be pressing charges against the borough. Mr. Bittner stated if anyone has a complaint against this police department Chief Encapera has complaint forms and he asked that anyone who feels the need to please take one fill it out and the Chief will meet with you on the complaints. The gentleman stated so when these cops come off their suspensions they will be targeting everyone that speaks about them tonight and they will come after them. He stated that he will hold council responsible for it. Mr. Mariscotti stated we took the first step tonight in suspending these two officers and he hates to say this and we did that based on the charges that came before us this evening. So you guys need to file the

complaints and we will go from there and if it warrants a further suspension or firing council will look at that when these complaints come in. The gentlemen stated they were suspended within a week of this event and his petition was started over a year ago and nothing has yet to be done. Mr. Mariscotti asked who he gave the petition to. He stated he went to the University President before he was fired and he stated that they will try to communicate with the borough police and yet nothings been done. Mr. Melenyzer stated he's been here almost 28 years and he has never seen council sweep anything under the rug. Mr. Melenyzer stated we have to prove that they have done something wrong so if you are not going to step up to the plate and help us do that then there is nothing we can do on here say because they have rights to. He stated that they need to file a complaint with the Chief and have him investigate it and get the information to us. This gentlemen stated they are targeting the students and the students are fearful of the police.

JOHNATHON MCGEE

He stated that the 80 page petition that he personally handed to Dr. Armenti himself and Bob Thorn and they said this would be taken care of and they are working through the borough and it will be taken care of. This is not a small thing. He stated that he had to change his major and he lost a chance to go to Pitt because of this. Something needs to be done now. He thought this would have been taken care of when he submitted the petition to the University. This is a serious situation and kids' lives are getting destroyed.

JODI AUGUSTINE

She stated that she is here on behalf of the incident that happened the night of May 3rd at Signature Bistro. She stated that her boyfriend was deejaying the event when a fight broke out and we were told to wait outside. So they collected his things and asked for compensation for the event the owner refused. They were then told by the bouncers and the police to wait outside and she would pay him. The police did not arrest any of the people that were in the fight instead the police arrested her boyfriend for waiting for his pay. They began hitting and choking her boyfriend and she used her phone to record the unjust actions of the officers. She then was thrown to the ground, arrested, and thrown into the cop car. The woman officer then opened the door and ripped my purse off of me cutting Ms. Augustine's finger and then she held it in front of her face stating that she would break it and then proceeded to do so. Her left thumb up to her wrist is very bruised and numb from being thrown into a cop car and left there to lay with her hands behind her back. Her arms and legs have bruises all over them. She stated that neither her nor her boyfriend were read their rights and they erased the video that she took with her phone. There are a couple disturbing comments that she heard and was told. One of the officer stated she's lucky she wasn't shot and another officer asked her boyfriend what he was *\$*# (# staring at and he would rip those headphones off your neck. She stated that she is more afraid of the police and do not feel that they are here to protect but only to ruin their careers. She may have to change her major from teaching because she is getting a disorderly conduct and for what? For trying to video the officers from abusing people.

SAMANTHA SHULTZ

Mrs. Shultz introduced herself as Justin Shultz's wife. She stated that she hears these kids and she hears their side but there is another side. There is crazy stuff that happens and her husband's life is on the line when he's dealing with it. She sits at night and worries that her husband is not going to come home. So when it comes down to it they have to use their discernment and their discernment was that there was too many intoxicated people or whatever they felt too many fights to handle and there were only two of them here and they would have had to call for back up. Their discernment was so they didn't have to make a call to a parent that their child died was pushed in front of a car or beaten to a pulp, that was their discernment. She feels like the officers are being punished for that and these kids parents' want them to come home too. She stated they are doing their jobs and they are not here to make the kids' lives miserable. This is how he brings money home. She stated that with a 30 day suspension she is losing her house because her house right now is going to be foreclosed on because there will be no income for the next 30 days. She stated she has been struggling to put food on the table, we can't get unemployment and now he has no income and with her health problems she can hardly work. This isn't a slap on the wrist for them this is huge. They have a 7 and a 10 year old that she has to go home and tell that their dad cannot work for the next 30 days. She stated this is not because you lost an hour at a bar this is a bigger scale. She is sorry that happened but this is way bigger than that and she wants to add that if you have such a problem with the police why when her husband is off duty is he getting private calls from Jason Cole saying he needs him to come over. These kids don't realize that the owner is calling the police requesting they came and remove somebody it is all hush hush.

The gentlemen stated she brought up the fact of the hardship of the income and all that. She is complaining about having to pay for a house well in his situation he has a single parent who has raised over 15 kids and have put everyone of them older than him through college so do not talk about financial problems. He is here to go to college and get an education and not to be harassed. He doesn't care what her husband does on his personal time but when he is on the job is supposed to be serving and protecting the people not harassing them or injuring or beating them to a pulp while they are handcuffed or tasing them while they are handcuffed. This is not the first time, second time, or third time... and probably not the fifteenth time and the only difference is this is the first time they've gotten caught.

CHERYL EREDLY

Mrs. Erdely stated that she has at the request of her sister Bernadette Cain and Beth the owners of McMonagles Irish Pub and their mother, whom she is the power of attorney for all have a substantial investment in McMonagles. She would like to read something and she read the Principles of a Free Society from the Anuran Center for individual rights. She stated that she has owned businesses in this town since 1995 and it has not been on notated that her civil rights have been violated, her sister's civil rights have been violated, and the African American students in this town have been violated. She stated that in 2003 we had a law suit against this borough and the federal government deemed that this borough should have sensitivity training for their officers and has it happened? Did they say that the African American students were being profiled? Yes. Are we being profiled... yes? When they shut down these bars on Friday she was in town because she went to the boxing event at the University. She hears that it was all wild in town because of the boxing match. She stated heck no there were not even five students at the boxing match and it wasn't because of the boxing matching. There were people her age there not students. She told her sister she was leaving and going home and her sister asked why and she stated that she is 67 years old and she is afraid of this town and the police department because she doesn't know if she makes one false step or opens her mouth which she has been known to do that she is going to kicked, tased, and or arrested. There was a fight at McMonagles and the police came and beat these kids up and she was told it was a good thing she didn't go outside because they would have beat her up and arrested her too. She stated this has been an ongoing problem in this town. This town is already on the radar with the federal government for how you treat the black kids in this town. If you had a group of white kids on one side of the street and a group of black on the other side you better believe that the black ones would be profiled. They were profiled when she owned the bar and they are profiled now. It is not going to change. Is her sister being profiled? The cops are constantly walking in her bar pushing their weight around in there and getting in her sister's face. Better they did that to her than me because I would have Tracy & Tracy down here so fast their head would spin. The police officers shut down the bar and these are two rough guys and they've gone into her bar and bully her and constantly harass her and it is costing thousands of dollars and does she blame the officers. To a point; were the officers educated, do they know how to react in a situation like that, do they have a manual and such and such should happen, is there protocol for these types of incidents. She knows at her employment she has protocol. She is a RN at a hospital in Pittsburgh and she can't just close down a whole floor if she finds out one person has a bad disease she has to follow protocol. These officers went and closed everyone down. Her sister helped promote the boxing event at the University and had a busy bar that evening and she lost a lot of money that night.

GENAVEE BANGORA

She stated that she doesn't go to bars so she wasn't part of the bar situation but the incident she had with the police was her and her friends were coming from spuds heading back to the University and a cop pulls up and asks where they were going. She stated we're heading to campus obviously. So one of them gets out of the car and starts cursing and yelling at us and the other one drove alongside us edging the other cop on to yell at us some more.

ALEX EATON

Mr. Eaton stated he heard the council talk about evidence and everything. He knows about a few situations where people were recording the bad behavior of the police and their phones were taken and slammed and thrown. They knew they were wrong and so they would try and cover it up. He stated we have recordings of this and will be happy to show you to your face. There is a cause and effect for everything and if you break the law then everything in the dark comes to the light. So at the end of the day if you do wrong justice will be served in some type of way. He stated when he was a sophomore he too was walking home from a food place and the cops rolled

up on him and stated that he was high. He stated he had never smoke a day in his life. The officers then said he must be drunk then let me see your I.D. He doesn't think filling out a piece of paper will help. There are a dozen situations that occur like this every weekend. Everybody has phones that can record and he witnessed the cops erasing people's video. He would like to see things change so people don't have to be afraid of the police if they are out after dark.

CONTINUED MEETING

Mr. Bittner stated this meeting will be continued until May 16, 2013 at 6:00 pm