

## **Regular Meeting of California Borough Council, November 13, 2014, 6:30 pm**

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

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

**ABSENT:**

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**ADDITIONS OR CHANGES TO AGENDA**

Mr. Difilippo added cap protector and light for new truck

Mr. Difilippo removed the 4 Fayette Engineering invoices

Mr. Mariscotti added Tree trimming invoice #293 for \$2,280.00

Motion by Encapera/Difilippo to adopt the agenda duly carried with all members present stating aye.

**PUBLIC COMMENT**

Mr. Maddix stated he has one comment under personnel and he's not sure what that is but what he wants to know if by joining it would duplicate anything else we have similar.

**MINUTES**

Motion Difilippo/Gutosky to approve the minutes of the Special Meeting of October 2, 2014 duly carried with all members present stating aye.

Motion by Gutosky/Difilippo to approve the minutes of the Regular Meeting of October 9, 2014 duly carried with all members present stating aye except Mr. Glab who abstained because he wasn't at the meeting.

Motion by Difilippo/Mariscotti to approve the minutes of the Continued Meeting of October 23, 2014 duly carried with all members present stating aye.

Motion by Mariscotti/Difilippo to approve the minutes of the Continued Meeting of October 30, 2014 duly carried with all members present stating aye.

**SECRETARY'S REPORT – MS. EVANS**

Ms. Evans read the accounts payable and account balances for October 31, 2014.

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

**JUNIOR COUNCIL MEMBER – ANGEL FUNK**

Ms. Funk stated the school has a new club called the Interact Club and it is a subdivision of the California Rotary Club. On November 18<sup>th</sup> from 5:00 to 8:00 pm at Hugo's there will be a spaghetti dinner that is benefiting California Rotary. There is another fundraiser being held at the school and they will be collecting new unwrapped toys for children to be given out for Christmas. There is an angel tree at California Post Office and there is a tree with angels on them and you can buy a toy for that child and those toys will be distributed as well. On National Signing Day Aaron Previsky signed to Seton Hill for baseball.

**PRESIDENT'S REPORT – MR. ALFANO**

**BOROUGH MANAGER APPLICATIONS**

Mr. Alfano stated we have received several applications for the Borough Manager position and we will be reviewing those applications within the next week and calling some folks in for interviews.

### **BOROUGH ENGINEER**

Mr. Alfano stated we have also received several applications for the Borough Engineer position and we will be calling some of those folks in that we haven't already spoken to to discuss that position.

### **MACKIN ENGINEERING INVOICES**

Mr. Alfano stated he will entertain a motion to pay Mackin Engineering invoices for the Comprehensive plan at this time.

Motion by Bittner/Mariscotti to pay Mackin Engineering Invoice # 42510 in the amount of \$3,686.55 duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Gutosky to pay Mackin Engineering Invoice #42570 in the amount of \$1,422.16 duly carried on a roll call vote with all members present voting yes.

### **CM SERVICE INVOICE**

Mr. Alfano stated we also need a motion to transfer from the Bond Proceeds Account to the General fund \$1,874.14 to pay CM Services invoice #14-119.

Motion by Mariscotti/Gutosky to transfer from the Bond Proceeds Account to the General fund \$1,874.14 to pay CM Services invoice #14-119 duly carried on a roll call vote with all members present voting yes.

### **MON WHARF PROJECT**

Mr. Alfano stated he wanted to give a quick update and he met with Andrew Swartz from EP & D last week and after their survey they took there and some design consulting that are at a point where they are ready to present the design to the DeP for the boat launch and the pier area. There will be some slight changes from the original design in that the pier itself will be moved from the right hand side of the wharf to the left hand side and therefore the boat launch side will be on the right because that would work the best for the drainage down there.

### **OVERLAY DRAFT MACKIN ENGINEERING**

Mr. Alfano stated he thinks he forwarded to the council members a draft from Mackin Engineering for the overlay of the business district for council to take a look at. The Planning Commission has been working very hard with Mackin to get the overlay and general zoning redone. He asked council to review that and offer any suggestions to the Planning Commission at their Dec. 2, 2014 meeting.

### **STREET LIGHTS/METERS**

Mr. Alfano stated he spoke with Kerry Fox from the Redevelopment Authority and Mr. Fox assured him that the streetlights will be delivered next week and construction will commence on the day of the 24<sup>th</sup>. We still need to make a decision concerning the meters. We got some pricing on kiosks and we'd probably need 4 kiosks to start and it is roughly \$40,000.00 for those. After reviewing our meter revenue for the past year we'll have to think long and hard about if it is worthwhile to spend that kind of money or if we should just put meter poles in and use the meters we have.

Mr. Alfano stated Mr. Encapera has to leave early so we are doing his report next

### **PERSONNEL- MR. ENCAPERA AND MR. MR. MARISCOTTI**

Mr. Encapera stated we have two officers coming to the end of their probationary period Dec. 8, 2014.

Motion by Encapera/Mariscotti to hire Thomas McCarthy as a full time police officer under the collective bargaining agreement effective Dec. 8, 2014 duly carried on a roll call vote with all members present voting yes.

Motion by Encapera/Bittner to hire Anthony Glab as a full time police officer under the collective bargaining agreement effective Dec. 8, 2014 duly carried on a roll call vote with all members present voting yes except Mr. Glab who abstained.

### **T.E.A.M. MEMBERSHIP**

Mr. Encapera stated while visiting the PSAB Fall Conference in Gettysburg he attend a session that dealt with litigation and personnel. After speaking with some people from TEAM program they offered some information which council has in their packets to join the TEAM program and he thinks it would be a benefit to join this program.

Motion by Encapera/Mariscotti to join PSAB TEAM program at a cost of \$300.00 annually duly carried on a roll call vote with all members present voting yes.

Mr. Encapera thanked the police department for handling the situations that occurred over the last several weeks in a professional and efficient manner. They did a great job.

### **PUBLIC HOUSING – MR. GLAB**

#### **ZONING UPDATE**

Mr. Glab stated we are still ongoing with some of the demolition properties. Mr. Petro will be out checking on the progress of those demolitions and if there hasn't been any substantial progress he will be authorized to file complaints at the magistrate's office.

#### **SNOW REMOVAL**

Mr. Glab stated we are coming into the winter season and he wants to remind everyone that it is the responsibility of all property owners to maintain their sidewalks and remove ice and snow within 24 hours after the snow/ice fall or they will be cited. He asked that all property owners use some common sense maintenance on their properties and hopefully everyone will get the

### **SISLER/ENCAPERA SUBDIVISION**

Mr. Glab asked Mr. Agrafiotis to speak about this. Mr. Agrafiotis stated Fayette Engineering reviewed the subdivision and they want four corrections made and he stated that he also reviewed it and agrees that the four corrections need to be made and they are 1. Add a note to the plan stating the reason for subdividing the lot ie: lot#1 is to be conveyed to Sisler" as an addition to the adjoin lot and is not a separate building lot, 2. Lots should be identified by number, 3. Notary statement is missing some wording, and 4. Surveyor seal is upside down. He recommends conditional approval upon the corrections noted in Fayette Engineering's letter of October 31, 2014 being done. Mr. Agrafiotis stated that he also has three conditions of his own that they meet and they are that California Borough signature section needs the standard language that borough council of the California Borough hereby gives notice that by approving this plan for recording the borough of California does not accept dedication of streets, land, and public facilities and has no obligation to improve or maintain such streets, lands, or facilities. The second being that the minimum lot width in the legend that was prepared says that it needs to be 30' and that is incorrect it needs to be 25'. With that said the new lot is slightly over 23' so the drawing needs to be redone to have the 25' width on the new lot or they can ask for a variance. The third is the language in the surveyor's certification needs changed to read "I certify to the best of my knowledge that survey and plan shown here are correct and accurate and the stamp is required. It says something like that but it is not in strict compliance with the ordinance. So with those three (3) changes and the four (4) changes that Fayette Engineering asked for he would recommend conditional approval.

Motion by Glab/Mariscotti to conditionally approve the Sisler/Encapera subdivision provided they adhere to the correction listed in Fayette Engineering's letter dated Oct. 31, 2014 and the changes noted in the attorney's letter dated November 13, 2014 duly carried on a roll call vote with all members present voting yes.

### **PUBLIC WORKS – MR. MARISCOTTI**

#### **STREET DEPT. UPDATE**

Mr. Mariscotti stated there are typical ongoing operations in the street department and he believes Mr. Taday has an estimate for some tarps and asked Mr. Taday if he has a copy of that. Mr. Taday stated he does not have it with him. Mr. Mariscotti stated well we need to purchase some tarps for the salt bays down at the new sewer plant. Mr. Taday stated they are \$1,030.00 plus shipping or he can pick them up. Mr. Mariscotti stated are they local and Mr. Taday responded yes. Mr. Mariscotti asked who he got that price from. Mr. Taday stated Wagner Tarps. Mr. Mariscotti stated these tarps will cover the salt bins, the salt bins have a roof over them and

three walls but they are still exposed to weather in the front so these tarps will cover that. Mr. Alfano stated it is sort of like a curtain in the front. Mr. Mariscotti stated yes and it is a very heavy material which is why we are paying the kind of money that we are going to pay.

Motion by Mariscotti/Difilippo to purchase the tarps for \$1,030.00 from Wagner Tarps duly carried on a roll call vote with all members present voting yes.

Mr. Agrafiotis asked if he got any other quotes. Mr. Tудay stated no he just got this one. Mr. Agrafiotis stated it is under the quoting amount anyway he just wanted to make sure.

#### **MORGAN EXCAVATING INVOICE**

Mr. Mariscotti stated he believes we owe Morgan Excavating their money for paving which is \$164,694.74 so he will make the following motion.

Motion by Mariscotti/Difilippo to pay Morgan Excavating \$164,694.74 contingent on receiving the PennDOT representative's review and approval and a notice of compliance and completion to be paid out of the Highway Aid fund duly carried on a roll call vote with all members present voting yes.

#### **SCOTT'S TREE SERVICE**

Mr. Mariscotti stated we owe Scott's tree service for the tree trimming down town.

Motion by Mariscotti/Glab to pay Scott's Tree Service \$2,280.00 for the tree trimming they did downtown duly carried on a roll call vote with all members present voting yes.

Mr. Bittner asked Mr. Mariscotti if we could get a list of the streets for our paving project next year and a list of the ones that are supposed to be seal coated also and get that ready and put out for bid in January or February.

Mr. Encapera left the meeting at 7:20 pm

#### **PUBLIC SAFETY – MR. BITTNER**

##### **TRAINING CLASS- BACK FLOW PREVENTER INSPECTIONS**

Motion by Bittner to send Mr. Tудay to a training class for inspections of back flow preventers from May 4<sup>th</sup> through May 6<sup>th</sup> in Erie Pennsylvania at a price of \$995.00 plus his wages, no mileage because he will take a borough vehicle. Mr. Bittner stated the reason we are doing this is that it seems like a lot of money but we have a minimum of (5) back flow preventer inspections at over \$200.00 each so the first year Mr. Tудay does them we will recoup that money and then save that money in the years to come. Mr. Tудay stated this training is for a whole week. Mr. Bittner stated a whole week now. Mr. Tудay stated yes Monday through Friday. Mr. Bittner amended his motion to cover the whole week then. Mr. Alfano stated but the cost for the class is still \$995.00 is that correct. Mr. Alfano stated what about lodging and meals. Mr. Bittner stated we will do that at a later time.

Motion by Bittner/Difilippo to send Mr. Tудay to a training for inspection of back flow preventers from May 4<sup>th</sup> through May 8<sup>th</sup> at a cost for the class of \$995.00 plus his wages in Erie, Pennsylvania duly carried on a roll call vote with all members present voting yes.

##### **CRYSTALLINE TECHNOLOGIES**

Mr. Bittner stated we have an invoice from Crystalline Technologies #11787 in the amount of \$7,622.62.

Motion by Bittner/Mariscotti to pay Crystalline Technologies invoice #11787 in the amount of \$7,622.62 duly carried on a roll call vote with all members present voting yes.

Mr. Glab asked if this is the final bill. Mr. Bittner stated no this is just for the ones they've installed. He asked Mr. Tудay how many more cameras they need to install. Mr. Tудay stated there are still 10 cameras to be installed. There were 20 total and 10 are already installed.

### **OFFICER MCCARTHY TRAINING**

Mr. Bittner stated last week Officer Thomas McCarthy was sent to training and the Chief just got the information a couple of days before the training. The training was free so the only thing we are approving is patrolman McCarthy's wages for the day he was at that training.

Motion by Bittner/Difilippo to pay Officer McCarthy's wages for the day he was at training duly carried on a roll call vote with all members present voting yes.

### **FINANCE – MRS. GUTOSKY**

Motion by Gutosky/Bittner to pay the regular monthly bills as presented and the Solicitor's bills duly carried on a roll call vote with all members present voting yes.

Mrs. Gutosky stated we had a budget meeting on November 10<sup>th</sup> and we are meeting again on November 17<sup>th</sup> at 5:00 and she invited Chief Encapera to that meeting. Mr. Encapera stated he will try to make it. She stated that his department is the biggest part of the budget so she would like him to try and attend.

### **PUBLIC HEALTH – MR. DIFILIPPO**

#### **PEACH ALLEY BIDS FOR ADDITIONAL PIPEWORK**

Motion by Difilippo/Mariscotti to reject all bids on the Peach alley project duly carried on a roll call vote with all members present voting yes.

#### **PAYMENT REQUESTS**

Motion by Difilippo/Mariscotti to pay Xylem's invoices for a flow meter in the amount of \$8,530.50 duly carried on a roll call vote with all members present voting yes.

#### **CAP PROTECTORS**

Motion by Difilippo/Mariscotti to purchase cap protectors and light from Push & Pull at a cost not to exceed \$1,000.00 duly carried on a roll call vote with all members present voting yes. Under discussion Mr. Bittner asked what kind of light. Mr. Tудay stated it will be an amber strobe light. Mr. Bittner asked if it will be installed before we receive the truck. Mr. Tудay stated yes it will be done at Push & pull. Mr. Bittner stated he doesn't want any borough employees installing those lights.

#### **WIDMER ENGINEERING- WASTE WATER TREATMENT FACILITY**

Motion by Difilippo/Bittner to accept Widmer Engineering's schedule of fees and sign agreement for the Waste Water Treatment plant provided they list California Borough as additional insured duly carried on a roll call vote with all members present voting yes.

#### **WIDMER ENGINEERING – PEACH ALLEY**

Motion by Difilippo/Gutosky to approve Widmer's agreement on the Peach alley additional piping project provided they list California Borough as an additional insured duly carried on a roll call vote with all members present voting yes.

#### **WIDMER ENGINEERING – GENERAL ENGINEERING**

Motion by Difilippo/Mariscotti to approve Widmer Engineering's agreement for general engineering through the end of the year contingent upon them listing California Borough as an additional insured duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated just to clarify this agreement is for Widmer to handle any other projects that may come up through the end of the year at a time & expense charge and a flat fee of \$200.00 per meeting. Mr. Agrafiotis stated that is with the change in paragraph 3. Mr. Difilippo stated the fourth proposal we will hold off on and it deals with the Coal Center Pump Station and we have to discuss that a little further.

#### **MAYOR'S REPORT – MR. WELD**

Mr. Weld stated that some citizens had brought it to his attention that they would like to know what the police department is doing so he had Chief Encapera print him out reports summarizing the calls from Oct. 1<sup>st</sup> through the 31<sup>st</sup>. He read a summary of the report.

## **CHRISTMAS SEASON CELEBRATION**

Mr. Weld stated that we are having a Christmas Season celebration at the Mechanic Street playground and it will be in conjunction with light up night on Dec. 5<sup>th</sup>. Mr. Alfano stated that Mr. Weld made application to the Recreation Authority. Mr. Weld stated it will begin at 5:30 pm and run through 9:30 pm. They have bands and a choir and food and will be lighting a 27 foot tree and he hopes it will be nice festive evening. Mr. Alfano stated we will keep Santa Clause inside and the kids will come up to the Borough bldg. and meet with Santa Clause and get their treats and then the festivities will continue at Mechanic Street after that until whenever.

## **ENGINEER'S REPORT – MR. POUNDS**

Mr. Pounds of Widmer Engineering introduced himself for those who do not know him. He stated they have one or two engineers on site daily and working with the contractor and they are in the process of doing their initial evaluation to determine the status of the work that has been done to date and he hopes to have a full report ready for council at next month's meeting. Mr. Pounds stated in the initial meeting with council he had mentioned it might take a little longer than originally anticipated to finish up the plant but they are trying to bump that schedule up as much as they can. We have power now so that should allow us to do some start-ups and they have contacted the suppliers and will do a start-up schedule. He stated one of the complications they encounter this time of year is obviously the weather but they will work their way through it. He stated they will continue to have engineers there daily and once start-ups begin they will become more active than now.

## **TREATMENT PLANT – PAYMENT REQUESTS**

Mr. Pounds stated his engineers have reviewed the payment request and are okay with the numbers but would recommend a conditional approval until Fayette's name is removed and Widmer's name replaces it.

Motion by Difilippo/Gutosky to pay Mele & Mele's payment estimate #15 in the amount of \$173,410.77 contingent on removing Fayette Engineering's name and replacing it with Widmer Engineering's name duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Bittner to pay A1 Electric's Estimate #4 in the amount of \$86,670.00 contingent upon removing Fayette Engineering's name and replacing it with Widmer Engineering's name duly carried on a roll call vote with all members present voting yes.

## **PEACH ALLEY PROJECT**

Mr. Pounds stated the last thing on his agenda is the Peach alley project and as council is aware of they are in the process of requesting the documents from Fayette Engineering once we get those we will move forward in finishing up that project.

Mr. Alfano asked if we have a need for an inspector for the paving portion of this project. Mr. Tудay stated he will look over it.

## **SOLICITOR'S REPORT – MR. AGRAFIOTIS**

### **ORDINANCE #547**

Mr. Agrafiotis stated last Thursday in the paper we had a notice for Ordinance 547 and it was before council basically back in 2010 when the planning commission was re-established there was language in there that their term was to be five (5) years and that is correct when it is first started so to keep into rotation but after the terms expire they are supposed to be 4 year terms pursuant to the MPC so this ordinance amends Ordinance #522 to make the terms 4 years.

Motion by Bittner/Mariscotti to adopt Ordinance #547 duly carried on a roll call vote with all members present voting yes.

## **OLD BUSINESS**

No old business at this time

## **NEW BUSINESS**

Motion by Difilippo/Mariscotti to remove Fayette Engineering as the borough engineers and send a letter requesting all paperwork in regards to any projects we have or have had be turned over to Widmer Engineering within (30) thirty days duly carried on a roll call vote with all members present voting yes.

Mr. Agrafiotis asked Mr. Pounds when they wanted the plans for the Waste water treatment plant and Peach alley project by the end of this month or as soon as possible. Mr. Pounds stated he would like those as soon as possible but no later than November and anything else within 30 days.

## **ADVENT COMMUNICATION**

Mr. Alfano stated that council has an invoice in their packet for Advent Communications. At our construction meeting for the sewer plant this morning it was just brought to our attention that they are ready for the phones to be installed. We had Advent come out there prior and did a survey of the site and this will be for five phones and the wiring and battery backups and patch cords and everything that goes along with the system and it will work with the system we have here in the borough building. The invoice is in the amount of \$3,978.70. He's asking council so we don't delay any longer to approve Advent Communications to install the phone system at the new sewer plant.

Motion by Bittner/Difilippo to approve Advent Communications to install the phone system at the new sewer plant duly carried on a roll call vote with all members present voting yes.

Mr. Alfano asked council if they want to pay the invoice in full once the phones are installed or go through a lease. Council decided to pay it in full once they are installed.

## **RECOGNITION OF CITIZENS**

### **MR. MADDIEX**

Mr. Maddiex stated on the overlay district ordinance he hopes that we get it right. On the meters for the light poles he suggested last time to put the meters in front of the poles and it is possible to attach it to the poles themselves like we did with the benches. Mr. Alfano stated those light poles are synthetic that is why we can't use them. Mr. Alfano asked him if the Planning Commission is still planning on have the public meeting for the overlay district in December. Mr. Maddiex stated he cannot answer that question.

### **MR. COWHERD**

Mr. Cowherd introduced himself to council and stated that he is one of the applicants for the Borough Manager's position. He stated he enjoyed being here and listening to what council had to say. He thanked council and stated he wanted to meet them face to face.

## **ADJOURN**

Motion by Difilippo/Mariscotti to adjourn at 8:00 pm to an executive session concerning an employee and he will report on that at the next regular meeting carried with all members present stating aye...