

**Regular Meeting of California Borough Council, October 9, 2014, 6:30 pm**

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

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

**ABSENT:** Mr. Glab and Mayor Weld

**MOMENT OF SILENCE  
PLEDGE OF ALLEGIANCE**

**ADDITIONS OR CHANGES TO AGENDA**

Solicitor added – Right of Way – Pierce Hardy under his report

Motion by Bittner/Difilippo to adopt the agenda as printed and amended duly carried with all members present stating aye.

**PUBLIC COMMENT**

**MINUTES**

Motion by Difilippo/Gutosky to approve the minute of the regular meeting of September 11, 2014 duly carried with all members present stating aye

**JUNIOR COUNCIL MEMBER – ANGEL FUNK**

Ms. Funk was absent

**SECRETARY’S REPORT – MS. EVANS**

Ms. Evans read the accounts payable and account balances for September 30, 2014.

Motion by Gutosky/Bittner to accept the Treasurer’s report duly carried with all members present stating aye.

**PRESIDENT’S REPORT – MR. ALFANO**

**REPORT ON EXECUTIVE SESSION – SEPT. 11, 2014**

Mr. Alfano stated the executive session was on personnel issues.

**PLANNING COMMISSION VACANCY**

Mr. Alfano stated we have a vacancy on the planning commission and we received a letter of interest from Beth Baxter along with a letter of support from the planning commission supporting her for the appointment. He asked council what their wishes are.

Motion by Gutosky/Mariscotti to appoint Beth Baxter to the planning commission to fill the term of Norm Hasbrouck to expire Dec. 31, 2017 duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated we realized that Mr. Capanna’s term will expire on Dec. 31<sup>st</sup> of this year and he is interested in serving again so does council want to reappoint him for another term.

Motion by Mariscotti/Encapera to appoint Peter Capanna to another term on the Planning Commission which will expire Dec. 31, 2018 duly carried with all members present voting yes.

Mr. Alfano stated in researching these terms Ms. Evans discovered in the Ordinance it is written that the term of the Planning Commission members is 5 years and in the Municipal Planning Code it states the term can only be 4 year terms so he would like to the solicitor to look at it and if needed amend the ordinance.

**TRANSFER FROM BOND PROCEEDS TO GENERAL FUND**

Mr. Alfano stated we need to transfer some money from the bond proceeds account to the general fund to pay CM Services Invoice #14-097 in the amount of \$2,241.71.

Motion by Difilippo/Mariscotti to transfer \$2,241.71 from the Bond Proceeds account the General fund to pay CM Services invoice #14-097 duly carried on a roll call vote with all members present voting yes.

### **LEAF RECYCLING**

Mr. Alfano announced that we will be having leaf recycling again this fall and it will be held on Saturday Nov. 1<sup>st</sup> and Nov. 8<sup>th</sup>. Mr. Bittner stated you must call on the Friday before by noon to schedule a pick up and all leafs must be placed in biodegradable bags. Mr. Bittner added that the haulers will also have an open roll top container placed near the sewer plant from October 31<sup>st</sup> through November 10<sup>th</sup> for those who were unable to schedule a pick up.

### **TRI COUNTY BOROUGH MEETING**

Mr. Alfano announced that the Tri County Borough Association Meeting will be held on Oct. 16, 2014 at 7:00 at the Bentleyville Fire Dept.

### **STREET LIGHTS/METERS**

Mr. Alfano stated the new streets lights from Union St. to Wood St. are almost ready to be installed and our meter heads cannot be attached to them. Council needs to look at an alternative means of parking revenue whether it is kiosks or any other ideas. Mr. Taday stated he contacted Pittsburgh's parking authority and they gave him a number to call. They have approximately 800-900 kiosk machines. Mr. Taday stated he called the manufacturer and he is supposed to email him the details and pricing of these. Mr. Alfano stated it wouldn't hurt to get quotes from a couple different companies. Mr. Taday stated he also talked with the guy who repairs them and he will come here and train us on how to repair them ourselves. Mr. Alfano asked if they bought them through Costars. Mr. Taday will look into it further.

### **AUTHORIZE RFP FOR BOROUGH ENGINEERS**

If it is council's pleasure we will need a motion to advertise Request for Proposals for a new Borough Engineer.

Motion by Bittner/Mariscotti to advertise for request for proposals for a new borough engineer duly carried on a roll call vote with all members present voting yes.

### **CAL- U LETTER OF SUPPORT**

Mr. Alfano stated he has received a request from Cal U asking for the Borough to do a letter of support for their LSA application which will be used for new stage at the convocation center in the amount of \$246,600.00. They had a lot of groups come in last season that wouldn't use the facility due to the stage not meeting certain requirements.

Motion by Mariscotti/Difilippo to authorize a letter of support for Cal U's LSA application duly carried with all members present stating aye.

### **PLANNING COMMISSION MEETING – MACKIN ENGINEERING OVERLAY DISTRICT**

Mr. Alfano announced that the Planning Commission met last week and Mackin representatives were there to work on the update to the comprehensive plan as well as crafting the language for the overlay project. As it seems right now we are shooting for the public meeting to occur before the voting meeting so the second Thursday of December possibly adopt that providing there is not controversy.

### **HIRE PART TIME IT TECH INTERN**

Mr. Alfano stated we have been working with Kevin Gergely the last week or two as a trial period so he asked council what their wishes are.

Motion by Encapera/Mariscotti to hire Kevin Gergely as the IT Intern at \$12.00 per hour not to exceed 5 hours per week duly carried on a roll call vote with all members present voting yes.

### **DELINQUENT EARNED INCOME TAX**

Mr. Alfano stated we have to make a choice as to whether we continue letting PAMS collect our delinquent earned income tax prior to 2012 or we move it over to Keystone who collects the current earned income tax.

Motion by Bittner/Difilippo to move all Delinquent collection of Earned Income Tax to Keystone collection duly carried on a roll call vote with all members present voting yes.

## **PUBLIC HOUSING**

Mr. Glab was absent

## **PUBLIC WORKS – MR. MARISCOTTI**

### **STREET DEPT. UPDATE**

Mr. Mariscotti stated the guys were out paving at Short Ridge.

### **TREE TRIMMING**

Mr. Mariscotti stated we have received three phone estimates for the trimming of trees and they are: Davies - \$2,400.00, Scotts - \$2,280.00, and Dave's - \$2,700.00.

Motion by Mariscotti/Difilippo to hire Scott's Tree Service for the tree trimming to a cost of \$2,280.00 duly carried on a roll call vote with all members present voting yes.

### **PLYWOOD SALT BIN AT NEW MUNICIPAL FACILITY**

Mr. Mariscotti stated Jeff would like to purchase some plywood for the salt bin at the new garage at a total of \$815.49.

Motion by Mariscotti/Difilippo to authorize the purchase of plywood to construct salt bins at the new plant at a cost of \$815.49 duly carried on a roll call vote with all members present voting yes.

Mr. Alfano asked if the Street dept. will be installing this. Mr. Tудay stated yes we will.

Mr. Tудay stated he talked to the paver doing the Skyline Drive paving project and he is going to start next week and would take approximately 4 to 5 days. Mr. Difilippo asked Mr. Tудay if he had a chance to fix that water problem yet. Mr. Tудay stated no but he will get that done prior to them starting the project.

### **HEAVY HAULERS – THIRD STREET**

Mr. Bittner asked if it is possible for our borough crew to do some emergency patching on Third Street from Wood Street to Green St. It is pretty bad by the coffee shop and by the Olympic spa and it needs addressed before winter. Mr. Tудay stated yes it can be done before winter. Mr. Difilippo stated on that note and he's brought this up before the heavy haulers that are coming through there and tearing that road up have we ever done anything with them. Mr. Alfano stated not that he knows of. Mr. Bittner stated we have never enforced it we got the money but we've never gone after any of them. Mr. Difilippo stated what does it take to go after them. Mr. Melenzyer stated a vote.

Motion by Difilippo/Bittner to have our Borough Solicitor go after heavy haulers for Third Street damage and to get it repaired duly carried on a roll call vote with all members present voting yes.

Mr. Alfano asked how do we determine which hauler has been using that. Mr. Agrafiotis stated there should be a video tape done before they started and one after they've finished. Mr. Bittner stated he thinks the University bonded all roads under one bond. Mr. Agrafiotis stated that sounds familiar but he thinks the zoning office took care of that. Mr. Melenzyer stated they could put up \$30,000.00 cash to let them any designated road that is listed. Mr. Bittner asked Ms. Evans if she knew how that read. Ms. Evans stated she's not sure off the top of her head but Nello Construction is the only company that paid the \$30,000.00. Mr. Agrafiotis stated the Zoning office can check on this and provide them the information.

## **PUBLIC SAFETY – MR. BITTNER**

### **HARDSHIP REQUEST FOR HANDICAP STALL**

Mr. Bittner stated there is a request for a handicap stall at 256 Pennsylvania Avenue we have a letter in our packets from Chief Encapera approving it.

Motion by Bittner/Difilippo to grant the hardship request for 256 Pennsylvania Avenue for a handicap parking space duly carried with all members present stating aye.

### **HALLOWEEN PARADE**

Mr. Bittner announced that the Halloween parade will be held on October 29<sup>th</sup> at 6:30. Lineup will be at 6:00 down by the ambulance building.

### **TRICK/ TREAT**

Motion by Bittner /Encapera to hold Trick or Treat on October 25<sup>th</sup> from 2:00 to 4:00 pm duly carried with all members present stating aye.

## **FINANCE – MRS. GUTOSKY**

Motion by Gutosky/Difilippo to authorize payment of the monthly bills duly carried on a roll call vote with all members present voting yes.

## **PUBLIC HEALTH – MR. DIFILIPPO**

### **1994 CHEVY PICK UP**

Mr. Difilippo stated he has two offers on the 1994 Chevy truck but we never advertised for bids for it though. Mr. Agrafiotis stated you put an ad out with no responses and now you have two bids. Mr. Tудay stated he did. Ms. Evans stated it was only bid once. Mr. Melenyzer told Ms. Evans to open them. Ms. Evans opened the bids and the first one was for \$1,000.00 from Amelia & Jim Mitchell and the second one was \$999.00 from Nudy Trifiro. Mr. Difilippo stated if he's not mistaken that was without the snow plow.

Motion by Difilippo/Mariscotti to sell the 1994 Chevy Truck to Amelia & Jim Mitchell at a price of \$1,000.00 duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated are you sure you don't want to sell the plow. Mr. Difilippo stated we can do that later if we want to.

### **H2O FINAL AUDIT – CYPHER & CYPHER**

Mr. Difilippo stated we have to do a final audit to close out the H2O Grant and he would like to hire Cypher & Cypher to perform that audit.

Motion by Difilippo/Mariscotti to hire Cypher & Cypher to perform the final audit on the H2O Grant duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated whatever it costs we have to pay it. Ms. Evans stated they do the boroughs annual audit and it is only \$5,600.00. Mrs. Gutosky asked if we have a ball park of what it will cost. Mr. Bittner stated we want a certified public accountant to do this and we don't want to mess around with this and we don't want to have to pay that back and Cypher & Cypher have been the borough's auditors for several years now.

### **CONSULTING ENGINEERS- SEWER PLANT AND PEACH ALLEY**

Mr. Difilippo stated since we are advertising for a new borough engineer we are going to need someone to oversee our current projects like the Sewer plant and Peach alley project. He stated everyone has three letters of interest in their packets and he wants to know if everyone has had a chance to review them. Mr. Difilippo stated the letters in our packets our letters of interest to be the borough engineers and what Mr. Difilippo is talking about is interim consulting engineers. Mr. Difilippo stated he had three engineers, AEG, Widmer, and Mackin. Mr. Difilippo stated he would like to take one of these three and hire them until the end of the year. Mr. Alfano stated just to clarify Mackin does not have a storm water engineer they would sub that out.

Motion by Difilippo/Gutosky to contact Widmer Engineering and use them until at least the end of the year or until we hire a full time Borough Engineer.

Ms. Evans asked if this is just to contact the engineer. Mr. Difilippo stated no his motion is to hire them and use them. Mr. Agrafiotis asked if this means that we are removing Fayette Engineering. Mr. Alfano asked Mr. Mechling of Fayette Engineering if he is going to be able to continue with these projects and continuing to provide engineering services to the borough. Mr. Mechling stated Von is leaving Fayette next week but he has assured him that he will continue doing his service work at the plant. Mr. Difilippo asked what about Peach Alley. Mr. Mechling stated it won't be bid until this month and he did a walk through today and he thinks they are going to get good prices and he doesn't have any inspectors and if necessary they could get an inspector. Mr. Alfano asked Mr. Leer how will that work with the sewer plant if he is employed by Widmer, would he be able to be here when council wanted him to be here. Mr. Leer stated Widmer has agreed within reason to allow him the flexibility to assist Mr. Mechling in wrapping this project up and he will make his time up with Widmer. Mr. Alfano stated he doesn't know how that is going to work. Mr. Alfano stated we need an inspector there now. Mr. Mariscotti stated if we hire Widmer will Von still be our guy for the sewer project. Mr. Leer stated you could ask Widmer that and it is the most logical idea. Mr. Alfano stated he thinks we need to discuss this a little further with Widmer before making a decision. Mr. Bittner stated for that Peach alley project we will have a private inspector for that job. Mr. Bittner stated Mackin also does inspections like that so we have options. Mr. Difilippo stated his concern is there hasn't been anyone at the sewer plant for a while now. Mr. Alfano stated Jeff Tuday goes there. Mr. Difilippo stated Jeff is not an engineer or trained inspector. Mr. Difilippo asked Mr. Leer when the last time he was down there. Mr. Leer stated last Thursday. Mr. Difilippo stated so it has been a whole week with no one there overseeing the project.

Mr. Difilippo stated he can table this motion until the continued meeting.

Mr. Encapera asked when is the deadline to get the RFP's back for councils review from the engineers. Council agreed that November 6<sup>th</sup> will be the deadline for the RFP's.

Motion by Difilippo/Gutosky to rescind their motion to contact and use Widmer Engineering.

Motion by Difilippo/Bittner to hire Widmer Engineering as our consulting engineers until the end of the year to do whatever council deems necessary duly carried on a roll call vote with Mr. Bittner, Mr. Difilippo, Mrs. Gutosky, Mr. Mariscotti, and Mr. Alfano voting yes and Mr. Encapera voting no.

Mr. Bittner stated that way if we need inspections done they'll do it if we need engineering done they can do it but at least we're covered until the end of the year until we see how things pan out. Mr. Alfano stated that will give us time to review the RFP's and not rush.

Mr. Alfano asked Mr. Difilippo if he would be able to contact them. Mr. Difilippo stated he will contact them.

#### **TROLLEY BEAMS FOR BLOWER ROOM**

Mr. Difilippo stated he has something here and he doesn't know what the heck this is. Mr. Difilippo stated he will defer this to the engineers report.

#### **RECYCLE BINS & WASTE HAULERS**

Mr. Difilippo stated he is going to get in contract with our garbage haulers and see about getting new recycle bins. He hasn't got a call back yet but he will be calling every day. Ms. Evans stated the new representative is Andre Palfi. Mr. Bittner stated we need to set up a meeting with them because they compacted garbage the other day and it ran all over the street. Flip said Pennsylvania Ave. residents had to clean up glass all over the road last week. Mr. Bittner stated he feels a lot of things not being done by this company has been swept under the rug for the first nine months of this year and we were lead to believe that everything was going well and it wasn't. He would like to see our Zoning Officer go out on Friday and see what garbage is left out take some picture and go out the following Monday and see what garbage is still sitting around and how many cans are left at the curb. We need to start enforcing our garbage ordinance. He thinks this outfit should be sent a letter every week with every complaint that we

get so we can get a track record of what is going against them and if they don't do the job in California to fulfill their contract then we'll find someone who can. Mr. Alfano stated we'll need to direct zoning office to make this part of their regular routine until these things are straightened out.

#### **PERSONNEL – MR. ENCAPERA & MR. MARISCOTTI**

#### **FALL PSAB CONFERENCE**

Motion by Encapera/Difilippo to permit any council member to attend the PSAB conference in Gettysburg a cost not to exceed \$500.00 duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated that cost would include registration and one night stay. Mr. Alfano stated he thinks it is great that some of our younger council members are interested in continuing their education about the workings of local government.

#### **REQUEST RECORDS FROM FROMER BOROUGH ENGINEER**

Motion by Encapera/Difilippo to request all borough records both hard copy and/or electronic from the former Borough Manger, Mr. Buchanan to be turned in no later than November 6<sup>th</sup> the date of the committee meeting carried with all members present stating aye.

#### **MAYOR'S REPORT – MR. WELD**

Mr. Weld was absent

#### **ENGINEER'S REPORT- MR. LEER**

#### **TROLLEY BEAMS FOR BLOWER ROOM**

Mr. Leer stated within side the blower room the blowers themselves and the motor weigh in excess of 1100 lbs. so as a means to facilitate future maintenance and repair and or removal of the blowers and motors the staff asked us to look at installing a trolley system so they don't have to be creative and find a way to lift the motors off of the frames to remove them to send them for maintenance and or repair should that be required. Jeff called a local steel company and got a quote of \$615.00 for the new beams that are required to secure the trolley system. We can do that in the form of a purchase order if council would authorize the \$615.00 to purchase the beams. Mr. Alfano asked who would be installing them. Mr. Leer stated he believes Mele & Mele said they would assist the borough staff in getting them up and anchoring the main trolley beam to the support beams. Mr. Difilippo asked if there were any beams in there to begin with. Mr. Leer stated no there were not. Mr. Leer stated Ron Santo has indicated that they have 4 trolleys already still in the box. Mr. Alfano stated this is for the safety of the employees to be able to lift those up. Mr. Alfano asked council what their wishes are.

Motion by Gutosky/Bittner to authorize the purchase order for \$615.00 to purchase beams for the blower room duly carried with Mrs. Gutosky, Mr. Mariscotti, Mr. Alfano, Mr. Bittner, and Mr. Difilippo voting yes and Mr. Encapera voting no.

#### **WASHER/DRYER**

Mr. Leer stated Mr. Tудay is doing some research on the Washer/dryer and the amount for that in the contract is \$1,300.00. Mr. Tудay stated it was \$1,200.00. Mr. Tудay is having trouble finding both the washer/dryer stackable type unit for that price and he is requesting authorize up to a maximum of \$300.00 extra to facilitate buying the washer/dryer unit. Mr. Alfano stated he's sure everyone is familiar with the stackable washer/dryer stackable units. Mr. Bittner stated you can't find one for that price? Mr. Tудay stated the stackable ones he found are one piece so if one of them goes bad then you have to take the whole unit out to fix either the washer or dryer. Mr. Bittner stated so you want to buy two separate units that are still stackable. Mr. Bittner stated that is still a lot of money. Mr. Tудay stated if we had the room we could get side by sides but we don't have the room. Mr. Bittner stated that is a lot of money to spend on something we're not going to use all the time and that is his opinion. Mr. Tудay stated but we had an allowance of \$1,200.00 and he's got a price of \$1,459.00 and he's still looking for a cheaper price. Mr. Mariscotti asked who that was from. Mr. Tудay stated Highway appliance. Mr. Alfano asked why do we need it we have a uniform service. Mr. Leer stated it is not uncommon in a waste water plant to have a washer/dryer in case you have a sewage spill or chemical spill they can launder the clothes and not wear those clothes home soiled. Mr. Bittner stated we're renting

uniforms and they have extra uniforms so let them keep a spare set there in case they spill something on them. Mr. Bittner stated you can go to the laundry mat a lot of times for \$1,200.00. Mr. Leer stated if that is council's wishes we can remove that item from the contract and receive a credit of \$1,200.00.

Motion by Bittner/Mariscotti to deduct the cost of a washer/dryer in the amount of \$1,200.00 and take that as a credit duly carried on a roll call vote with all members present voting yes.

### **SEWER PLANT UPDATE**

Mr. Leers stated the retaining walls that council approved is complete and the centrifuge unit has been delivered and placed inside the site. Same with the blowers they are on site and installed. The contractor has completed the walls in the blower room and partially in the centrifuge room. They continued installation of trench around the perimeter. The electrical contractor has finished placing the conduit.

### **PAYMENT REQUEST –MELE & MELE**

Mr. Leer stated he has a request from Mele & Mele requisition #14 in the amount of \$581,841.35. Mr. Alfano asked if this was in council's packet. Mr. Leer stated no he just brought it with him tonight.

Motion by Bittner/Mariscotti to pay Mele & Mele requisitions #14 in the amount of \$581,841.35 duly carried on a roll call vote with all members present voting yes.

### **PAYMENT REQUEST A1 ELECTRIC**

Mr. Leer stated he has a payment request #3 from A1 Electric in the amount of \$42,750.00.

Motion by Difilippo/Mariscotti to pay A1 Electric's payment request #3 in the amount of \$42,750.00 duly carried with all members present voting yes.

Mr. Mariscotti asked where we are at as far as the electrical contract. Ms. Evans stated we still need a change order for the \$15,000.00 we paid West Penn Power.

Mr. Leer stated his initial contract price was \$402,000.00 and to date they've been paid \$151,000.00.

### **PAYMENT REQUEST – CENTRISYS CORP.**

Mr. Leers stated he has an invoice for Centrisys Corp. in the amount of \$39,142.60 which still leaves us 5% retainage on this contract.

Motion by Mariscotti/Difilippo to approve Centrisys payment of \$39,142.60 duly carried on a roll call vote with all members present voting yes.

### **CHANGE ORDERS**

Mr. Leers stated there are two change orders in your packets with the engineers report. There are two change orders one for contract #1 and one for contract #2. Mr. Leers stated in change order #1 there are 12 items in the change order. The retaining wall - +12,411.95, the downspouts - +\$1,632.62, the additional toilet per staff request - +\$1,646.77, concrete pad - +\$232.59, 4" force main - +\$5,775.75, emergency shower – per staff request - +\$2,103.72, gas line credit – (16,341.47), Metal studs for shower - +2,419.79, blower fitting intake - +2,146.89, water meter vault - +23,917.67, water company allowance –(15,000.00), and Gas Company allowance – (15,000.00) for a new change to the contract amount of an increase of \$5,946.28.

Motion by Gutosky/Bittner to approve Change Order #1 for contract #1 to increase the contract amount by \$5,946.20 duly carried on a roll call vote with Mr. Difilippo, Mrs. Gutosky, Mr. Mariscotti, Mr. Alfano, and Mr. Bittner voting yes and Mr. Encapera voting no.

Mr. Leer stated the second change order is for A1 Electric – Change Order #1 for Contract #2 containing 3 items. A credit for West Penn Power Electric Service allowance – (\$15,000.00), 175 amp breaker – +\$5,358.00, and revised site lighting - +\$10,779.52.

Motion by Difilippo/Mariscotti to approve Change Order #1 for A1 Electric increasing the contract amount by \$1,137.52 duly carried on a roll call vote with Mrs. Gutosky, Mr. Mariscotti, Mr. Alfano, Mr. Bittner and Mr. Difilippo voting yes and Mr. Encapera voting no.

## **EXTENSION OF CONTRACT FOR ELECTRICAL CONTRACTOR**

Mr. Leer stated the last item under his agenda is time line for Electrical Contract. The contract calls for August 14, 2014 as a substantial completion date and we're not going to meet that obviously so he's recommending the contractor get a 90 day extension to extend the date of substantial completion to November 10, 2014 and council can address it if need be in the future. Mr. Bittner asked what circumstances necessitated this delay. Mr. Leer stated delays getting primary power to site and delays of water service to site. Mr. Mariscotti asked what constitutes substantial completion. Mr. Leer stated it when the plant is tested and commissioned and ready for startup. Mr. Alfano stated why don't you make it 120 days. Mr. Leer stated he'd rather leave it at 90 and address it again in the future if necessary.

Motion by Difilippo/Mariscotti to allow a 90 day extension for electrical contractor to substantial completion date duly carried on a roll call vote with Mrs. Gutosky, Mr. Mariscotti, Mr. Alfano, Mr. Bittner, and Mr. Difilippo voting yes and Mr. Encapera voting no.

## **PEACH ALLEY PROJECT**

Mr. Leer stated he was in town today and he noticed they were working down at First and Peach on the demo of that existing manhole.

## **PREBID MEETING-ADDITIONAL PIKE WORK – PEACH ALLEY**

Mr. Leer stated there was a pre-bid meeting held for the additional pipework needed for the Peach Alley project. Four contractors attended and there were a lot of questions about constructability and proximity to the buildings and one thing he brought to council's attention is you may wish because of how close you are to building foundations you may hire the services of a professional videography firm to go in and document basement walls conditions and all conditions prior to construction. This would better protect the borough in the long run and would establish existing conditions prior to construction. As far as the remaining pipe that is left we are going to talk with Ron and address the contractor's issues about the location of the line as it is proposed and see if we can't shift it a little bit away from the buildings. He stated one of the contractors today mentioned about the liquor store and that council may wish to just add a line instead of replacing that 15" or 18" storm sewer and that way they can just lay the new sanitary underneath the storm and move forward to make the job easier and more efficient. We could do that as an addendum to the bid.

Motion by Mariscotti/Gutosky to include the addendum to replace the 18" storm sewer on Peach from Third Street to Monroe Way duly carried on a roll call vote with Mr. Mariscotti, Mr. Alfano, Mr. Bittner, and Mrs. Gutosky voting yes and Mr. Difilippo and Mr. Encapera voting no.

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

### **CALIFORNIA UNIVERSITY APPEAL**

Mr. Agrafiotis stated they submitted their brief on the Cal U Zoning appeal and that is scheduled for November 10<sup>th</sup>.

### **TECHNOLOGY DRIVE ORDINANCE**

Mr. Agrafiotis stated he has emailed Kerry Fox twice trying to get a center line description so he can do the ordinance accepting Technology Drive but he has yet to get back to him. He will try and call him.

### **WEST PENN RIGHT OF WAY**

Mr. Agrafiotis stated there was some confusion that he cleared up with Von today. There was initially a right away agreement done with West Penn when Bill Johnson was still here and they sent the check back and we need a separate agreement with Pierce Hardy. Well as it turns out that yea we do have to have an agreement with Pierce Hardy and that check hasn't come back yet but we also need that agreement with West Penn also. Mr. Agrafiotis asked Mr. Leer if he knew when that was coming back. Mr. Leer stated no he will call them again tomorrow. Mr. Agrafiotis asked Mr. Leer if West Penn ever signed that. Mr. Leer stated with Pierce Hardy. Mr. Agrafiotis stated no with West Penn. Mr. Leer stated no. Mr. Leer stated the short of it is back in the end of April they sent Bill Johnson an email requesting this letter from 84 lumber and/ Pierce Hardy real estate that they were okay with us going off the existing easement through the West Penn Power property and some minor revisions needed addressed. Mr. Agrafiotis stated Von talked



with Pierce Hardy and they are okay with doing the agreement so council needs to authorize the solicitors to finalize the roadway agreement with Pierce Hard.

Motion by Bittner/Difilippo to give the Solicitor the authority to finalize the agreement with Pierce Hardy and authorize the President of council to sign it duly carried on a roll call vote with all members present voting yes.

Mr. Melenyzer stated he met with an Oil & Gas company and he talked to them last week and they are going to get back to him next week with some offer on the Borough's property. He will contact and see if he can get two of them interested and then we can negotiate and get the price up. But the one will be coming back for sure. He stated he does have York's appraisal and it contains all the borough's property. He asked if there has been any new property since that appraisal has been done back in the 90's. He also asked about the Project 70 property maybe we can get approval on that. Mr. Alfano stated yes that is 30 acres. Mr. Melenyzer stated we should see if we can get authority for the gas rights and perhaps use that or earmark that money to be used on that particular piece of ground. He asked Ms. Evan if she had any information on this property. Ms. Evans stated she does have the deed and will see that he gets it.

### **KEYTEX ENERGY**

Mr. Bittner asked Mr. Alfano is this was moving along and Mr. Alfano stated they ran out of time to get everything signed but should have it all ready to go tomorrow or Monday. He stated once the new sewer plant is operational and we have a twelve month billing history we can go back to Champion and ask them to renegotiate our contract including those figures.

Motion by Bittner/Mariscotti to follow Keytex Industries recommendations on our electrical suppliers and to authorize Pat Alfano as President of Council to sign electrical agreement duly carried on a roll call vote with all members present voting yes.

### **NEW BUSINESS**

#### **PEER REVIEW**

Mr. Difilippo stated he thinks we need a peer review done on all our current engineering project in town and he doesn't know if we want to incorporate that when we advertise for new engineers but we want that done by separate group. Do we need a motion to do that? Mr. Melenyzer stated yes a motion would be needed. Mr. Alfano stated you would need a RFP for that. Mr. Melenyzer stated that is a professional services so you would just need to ask a couple of companies for a quote. Mr. Difilippo stated he can do that.

Mr. Alfano asked when they wanted to continue this meeting to. Mr. Alfano stated next Thursday or the following Thursday. Ms. Evan stated she is unable to be here on the 23<sup>rd</sup>. Mr. Melenyzer stated professional services you don't need to quote anything. Mr. Melenyzer stated if I was an engineer and you said you wanted a peer review I would have to tell you what I'm going to charge per hour and you would have to tell me what you want me to do. So bring the numbers to the next meeting and vote on it.

#### **STREET LIGHTS – NEW PLANT**

Mr. Mariscotti asked if the light standards were all mounted at the new plant. Mr. Tудay stated yes they are all mounted and up.

#### **MR. DIFILIPPO**

Mr. Difilippo asked about how long Columbia Gas is going to have blocked off Pennsylvania Ave. just off of Wood St. going to Italian Club. Mr. Tудay stated he will check into that.

#### **RECOGNITION OF CITIZENS**

Mr. Maddiex stated on the street light he is disappointed that you aren't going to put the meters on them. He asked about Kiosks and where they would be located and we would probably need 4-6 kiosks and what would these kiosks costs. Mr. Alfano stated Mr. Tудay will find that out. He has a suggestion that may save some money if you can imagine where the lamp post comes up put a pole either in front or the rear to support the parking meters. That will not be an ugly sight and he thinks they would save some money because you wouldn't have to pay electricity or pay maintenance as you would on the kiosks. Mr. Alfano stated we will take it under advisement. There was more discussion about kiosks and Mr. Tудay will bring the information back to

council. Mr. Maddiex stated the next planning commission meeting is Nov. 3<sup>rd</sup> it is on Monday because Tuesday is Election day and he asked everyone to get out and vote.

**CHIEF ENCAPERA**

Mr. Encapera stated homecoming is this Saturday and he has been diligent about alerting everyone where they can and cannot park. The parade begins at 12:00 noon.

Mr. Alfano stated this meeting will be continued until October 23<sup>rd</sup> at 6:30.