

Regular Meeting of California Borough Council, September 12, 2019

President Alfano called the meeting to order at 7:50 pm

ATTENDANCE: Mr. Alfano, Mr. Difilippo, Mr. Encapera, Mr. Glab, Mrs. Gutosky, Mr. Mariscotti, Mayor Stetar, and Junior councilmember Ms. Mock

ABSENCE: Mr. Bittner

MOMENT OF SILENCE PLEDGE OF ALLEGIANCE

ADDITIONS/CHANGES TO THE AGENDA

Mr. Mariscotti added a letter from West Brownsville Borough

Dr. Martin added County Hauling – Commercial trash rates

Mr. Agrafiotis added SAI Tax Exemption

Mr. Alfano stated the agenda stands as printed and amended.

PUBLIC COMMENTS

No public comments

Mr. Maddiex read a portion of the burn ordinance and asked how will the mechanics work with a police officer. Mr. Agrafiotis stated we are just trying to figure it out.

Mr. Dentino commented on the burning ordinance and stated he is against burning in a C zoning and R2 zone. He stated if someone starts burning leaves that smell and smoldering lingers and cannot be extinguished quickly. He asked council to reconsider their ordinance.

MINUTES -REGULAR MEETING OF AUGUST 8, 2019

Motion by Difilippo/Gutosky to approve the minutes of the Regular Meeting of August 8, 2019 carried with all members stating aye.

TREASURER'S REPORT

Ms. Evans read the accounts payable and bank balances as of August 31, 2019.

Motion by Encapera/Mariscotti to accept the Treasurer's report carried with all members present stating aye.

PRESIDENTS REPORT – MR. ALFANO

MEETING WITH SCHOOL BOARD

Mr. Alfano stated this is in regard to a School Resource Officer and council went ahead and approved one of our police to fill that void again until the end of the first semester this year and we're going to have a continued meeting with the school board to try and come up with a plan where we could have more and better coverage for both buildings we'll probably do that one day next week or sooner.

PARKING FOR DAIRY QUEEN – JUDITH CRAIG

Mr. Alfano stated council was approached by the owner of the Dairy Queen, Judith Craig, and they have requested a space on Third Street in front of their business that could be used as a pick up spot. They have a mobile application where a customer can order and go pick it up and with the limited parking in the downtown area she is requesting to rent a spot. Dr. Martin stated Mrs. Craig is here to explain the application and how that would work. Mrs. Craig explained how the mobile application works and stated she is asking to rent one and possibly two spots in front of her business to provide curbside delivery to her customers.

Motion by Encapera/Mariscotti to approve renting the Dairy Queen two parking spots in front of their building duly carried on a roll call vote with all members present voting yes.

SEWER BOND REFINANCING

Mr. Alfano stated we had a presentation from Wayne Gearhold and we are eligible for a bond refinance and there are a couple of options we can choose and one is to reduce our payments over the life of the loans or we can take the cash up front and use that for a capital improvement

project. He would like council to vote positively for the refinance of the sewer bonds and take advantage of the refinance and do the cash out. Mr. Glab asked if we have to determine tonight the purpose of the refinance or capital project.

Motion by Glab/Difilippo to move forward with the refinancing of the sewer bonds according to Mr. Gearhold duly carried on a roll call vote with all members present voting yes.

Mrs. Gutosky asked if there is a time limit with which we have to spend the money and asked what exactly is a capital improvement. Mr. Glab stated his motion has nothing to do with what they are doing with the money it was just simply to refinance the bonds and we can decide later if we want to use it as a savings on our current payments or cash out and use it on a capital project. He said the motion I made was simply to refinance.

NEW PLAYGROUND EQUIPMENT AT HICKORY STREET PLAYGROUND

Mr. Alfano stated there has been new playground equipment installed at Hickory Street playground and it has been inspected by McMillen, our third party inspector, and we need it to be insured. Ms. Evans stated she needs a cost to provide to the insurance carrier. Mr. Alfano stated we bought that equipment on sale for \$11,000.00.

BOROUGH ADMINISTRATOR'S REPORT – DR. MARTIN UPDATES

Dr. Martin stated we will be having a negotiating meeting with the Teamsters on Thursday at 2:00 to discuss the SRO and potential changes to that agreement. He doesn't know what the outcome of that will be but it is a discussion that will be taking place.

He referred council to the weekly updates and periodic updates he sends council by email.

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR 2020

He stated at the committee meeting he discussed with council the county's redevelopment authority's offer to essentially double our community development block grant fund for this year so we can move forward in the spring on the project we're looking at for the former Hollywood Theatre lot a performance pavilion. In order to do that he would need to ask for a motion to accept an additional \$96,400.00 from the Community Block Development Grant fund for 2019. Ms. Evans stated is that 2020. Dr. Martin stated no they are giving us the allocation this year and then skipping us in 2020. That is the way they said to do it. Mr. Alfano stated the Washington county Redevelopment authority usually isn't too forthcoming when giving out money so he thinks we need to take advantage of it especially for almost \$100,000.00. Mr. Difilippo asked if that money will go the pavilion project. Dr. Martin stated yes, it is specifically earmarked for that project. Mr. Difilippo stated then we won't get any money next year to use on something else. Dr. Martin stated that is correct. Mr. Alfano asked what is council's pleasure do we have a motion. Mr. Glab asked if we decide not to do it this way with the limitations they put on when the moneys come up next year will the limitations be put on again or will it fall under the normal guidelines. Mr. Alfano stated let's ask ourselves this question if we don't take advantage of this offer how are we going to be able to build this pavilion. There is a shortfall as it is. He thinks we should take the additional funds from 2020 this year. Mr. Difilippo stated he thinks we need something there but his problem is its going to cost \$350,000.00 to build it. Mr. Alfano stated we haven't bid it yet. Mr. Difilippo stated the design quite frankly is ugly and it doesn't fit in with the downtown area. Mrs. Gutosky stated Mr. Filoni would roll over in his grave. He stated so if we do get the \$192,000.00 you are still talking the rest of the money coming from our general fund to finish that thing off. Mr. Glab stated if you think about the other communities like the aquatorium in Monongahela and Uniontown has storage square where they hold activities. Mr. Glab stated we have nothing like that. He doesn't know if the rule applies build it and they will come applies to this or not all he knows is we have an empty lot up there that we cut the grass on and it's not doing anyone any good so he thinks it's worth a shot.

Motion by Mariscotti/Glab to accept an additional \$96,400.00 from the Community Development Block Grant for the pavilion project duly carried on a roll call vote with all members present voting yes.

THREE STREET LIGHTS ON LIBERTY OWNED BY KEYBANK

Dr. Martin stated apparently in a former time those were somehow obtained by the bank on the corner there and they are actually the bank's lights but they made them to match our lights and

they provide streetlighting on that corner. Mr. Bittner would like council to consider the borough taking over those lights and wiring them into our regular street lights because right now they are on their own timer in the basement of the bank. When the timer would malfunction, we would ask Mr. Tудay to go over and reset it for them and the former bank would let us do that. The new bank prefers to have their maintenance people do that but unfortunately there is a lengthy delay when we make that maintenance request over there. He stated Jon asked him to ask council to consider and think about taking over the street lighting on that corner and tying those three lights in to our regular street lighting and taking the bank out of that loop. He stated he hasn't discussed this with the bank and doesn't know if we would have to purchase the lights and have them all rewired or asking them to donate them he just asked me to present it to council to think about. Mr. Alfano stated they no longer match our lighting in town now so we should probably upgrade them. Mr. Tудay stated two of them do not match but the one on third street matches ours. Dr. Martin stated he supposes the motion we would need is to authorize the borough administrator to initiate discussions with the bank about the possibility of taking over those lights because if they are not willing to give up the lights there is not point in having the discussion. Mr. Alfano stated you don't need a motion for that

POSSIBLE CLOSURE PENNSYLVANIA AVE.

Dr. Martin stated the next item that was under Mr. Bittner's agenda is in your packets from the committee meeting and it is a request from a resident to have Pennsylvania Ave. from Wood Street to Union Street closed for a block party to be held on October 12th. He stated you've seen the paperwork on it it has come through before. He stated this is Homecoming Saturday and however, it is on this side of Wood Street and really wouldn't affect anything relative to the college or homecoming festivities. He stated Mr. Bittner received the request and forwarded it to council and asked him to put it on the agenda and his last words were it is up to council to decide what they want to do. Mr. Difilippo asked about the time this would happen. Dr. Martin stated it is an all day and into the evening thing. He stated he doesn't have the paper right in front of him and asked Ms. Evans if it is these packets. Ms. Evans stated we did not get any papers on this and nothing was put in the packets. She stated she never received a paper she believes Mr. Bittner emailed Dr. Martin on it and confirmed the date. Dr. Martin stated Mr. Bittner did point out to him that we will have a borough employee on duty that day for homecoming so if we need him to place sawhorses we'll have someone to do that. Mr. Difilippo stated there is a business at the end of that road and you have to consider them. Mr. Mariscotti stated that's a hard road to block off because you'll have to go all the way back down to Fifth Street to get over to Union Street. Chief Sheehan stated he will not have any man power to police it since it is homecoming. Council chose to not act on this until they receive more information.

COMMERCIAL TRASH HAULER RATES

Dr. Martin introduced Dean from County Hauling and invited him to explain to council the changes in the non-residential rates for dumpsters. He stated there a several concerned citizens here as well to discuss these rates. He stated an alternative solution that he sent to council by email that they proposed would help resolve the issue. Dean introduced himself and explained that there was a price increase recently, however, they currently have \$40,00.00 on account receivables for residential trash service in your community and 400 of those the residents haven't paid the trash bill at all. We needed an ordinance that the trash service could be terminated if an account goes delinquent after 60 days. He stated we gave in our bid an initial rate price but we're not getting payment from the community. He said we are willing to negotiate on some of the commercial but we need an ordinance in place to help them get the residential delinquents collected. He stated their current rates are market rates, their prior rates were way below the market value. He stated no where in the contract does it say they cannot change the market rates or there is a limit on the rate it just says they have to keep the rate the same for 45 days. He stated they would be willing to get rid of the commercial business in town but they want paid for their historical work on residential and commercial customers before they forego anything. He stated they also have 35 commercial customers who have not paid their bill for last month. He stated right now they are having a major issue with getting paid. Mr. Difilippo asked why are you holding the commercial customers responsible for what the residential customers do. A female representative stated because it is so far behind we need the money and one of the ways to recoup that money was to increase the commercial rates because we can't stay in a deficit to service this area. She stated that was the alternative to supplement what they are losing but it also gives them the opportunity to open discussions with the commercial customers if they could get paid from the residential customers. She stated in other areas they are permitted to stop service on delinquent accounts and that usually get the customers to pay. She stated without them having

the leverage to stop service it makes it hard to hold people accountable to pay their bills She stated so if you could put something in your ordinance that permits them to stop service on delinquent residential accounts they wouldn't have to raise the commercial rates to cover their losses in collecting the delinquent residential money. Ms. Evans asked why don't they cite them. She stated there is no way for them to do that. She stated Mike from the Zoning office could do it for them. She stated you couldn't cite them for not paying because that's not in your ordinance. Ms. Evans asked if they have a collection department that could file against them in court. She stated if there was some type of penalty for them not paying their trash bills. She stated Mike has been truly helpful in their efforts but she stated she needs leverage. Mrs. Gutosky asked if these are rental accounts. She stated rentals are all combined in residential accounts. Mrs. Gutosky stated why do you think you could punish commercial customers for the non-payment by residential customers she added then when you stop their service they are going to bring their trash to her commercial dumpster and fill it up. Mr. Alfano stated you can't rob Peter to pay Paul. Mr. Mariscotti stated you never even negotiated with commercial customers. She stated yes, they did. Mr. Mariscotti stated no you didn't you just sent a bill. She stated we kept the same rate as the prior hauler for 45 days. Mr. Mariscotti stated and the contract says after that time you were supposed to negotiate with every commercial customer on their rate within that 45 days. She stated that is what we are trying to do. Mr. Mariscotti stated that's not negotiating you sent a bill out and raised the rates dramatically. She said the contract doesn't say we can't raise the rates. Ms. Evans read the contract that says they must negotiate the commercial rate with each and every commercial customer and any disputes come before council for a final decision. Mr. Glab stated you keep using the word leverage and it seems to him that you are hanging these commercial accounts out to dry and trying to force council to do something when those individuals are innocent bystanders. Mr. Glab stated you aren't even trying to negotiate it seems like you are trying to black mail us to do what you want us to do. She stated it is costing them more money to come here and collect trash and they aren't making any money and it needs to be reevaluated. Mr. Glab stated when the contract was negotiated did you not have your attorney look at it and make recommendations to you as to change this or change that. She stated she wasn't there when that happened. Mr. Glab stated he doesn't think we are the first customer County Hauling had and if our contract was unique or unworkable why would your people accepted it and sign it. Mr. Glab stated he doesn't know where she's coming from. Mr. Glab stated they are both not understanding the term negotiate. He stated your idea of negotiate means something entirely different from mine or Tony's or others in this room. She stated well they present a rate and then they will negotiate. He stated you just sent them a bill with a huge increase and nowhere on there did it say this is a negating starting point. Mr. Mariscotti stating on a personal not we have been negotiating his personal bill for two year and just last month they reached an agreement and you have only picked up his garbage one time in two years and you have been billing him for two years while still negotiating his rate and he's gotten bills as high as \$479.00. He stated he was calling you monthly and after about six months he just had someone else pick up his garbage. They, County Hauling, stated what they propose is they stop picking up the trash of delinquent accounts and then they notify the code enforcer and he can fine them or cite them for leaving their trash out. Mr. Ron Messick stated he finds a problem with what County Hauling is saying because you said these are the average rates now and his bill went up 180% he said he is in business and if he would raise his rates to his customers 180% he would be out of business. Secondly, you said these are the going rates right now he doesn't believe so he contacted two separate companies and both told him they would pick up his two yard dumpster for \$50.00 bucks and a three year price guarantee, no contract, no fuel charge, administrative fee etc. and you sent me a \$180.00 bill. County hauling responded and we are willing to let you do that but council has to help us with the delinquent residential accounts. Dr. Martin asked if they could take these citizens to the court civilly. Ms. Evans stated absolutely any business has that right. Mr. Agrafiotis stated yes, they could take them to court civilly. Ms. Evans asked if your numbers are from people who are not actually paying because she can tell you at least three separate accounts that you have billed on vacant properties and we call and you fix it then you get a new biller in and they back bill again and then we call and get it fixed and then you get a new biller in and you bill it yet again so you are billing the last 2+ years that you cannot collect because the house has been vacant. The county hauling rep stated when there is vacant and abandoned and when you say it is vacant that means someone could move in and we don't get those updates so we have to bill to see if someone is living there. You have a lot of people moving in and out because it is a college town. Ms. Evans stated the only thing she is trying to say if these accounts are on your books and part of your delinquent \$40,000.00 they are not even collectible. Hers was \$400.00 and her Dads house was empty that was another \$200.00 and we have a lot of vacant properties in California. She stated from now on when they become vacant

they will become inactive. She stated but if someone can potentially move in they will try and rebill it unless it is abandoned and goes to inactive. Mr. Alfano stated if he was president of county hauling he would publish every delinquent account, their name and what they owe and public shame them. He stated we need to get a list of all these delinquent accounts. Mr. Mariscotti stated mine name better not be on that list for \$479.00 when we just reached a settlement amount and you have not collected my trash except for once. There was further discussion and Mr. Difilippo stated we're going to look into this but in the mean time you need to negotiate these commercial rates and he's already instructed one person to not pay his bill until you negotiate with him. Mr. Don Giffin stated he went to Dean's office and asked to negotiate this new commercial bill because when County hauling took over his monthly bill would be \$27.50 for biweekly pick up normally it was \$55.00 for a small dumpster picked up weekly but County didn't have small dumpsters to provide me so they gave me a larger one and pick it up bi-weekly Now you're going to increase it to \$90.00 a month for bi-weekly pick up. He stated he doesn't think that was fair and he came to your office Dean and asked you about negotiating and you told me No we do not negotiate. Ms. Evans asked how many units are in your building she told him to read the contract because he could actually go to curbside pick up for buildings with 4 or less units and pay the residential fee for each unit which would be about \$50.00 per month and residential pick up is unlimited garbage. Greg Ruth spoke up and stated he has 16 townhouses- four buildings with four units in each building and one of the other owners called twice last week when we first received the bill and I called two days ago and no one has yet to return our calls. When Advanced had it we had a 6 yard dumpster and you guys came in and could not provide a six yard dumpster so you gave us a 4 yard and would it pick it up twice a week. We were fine with that. Our bill was \$142.00 per month and it is now \$350.00. He stated he needs someone to call him back yea and the other thing that Ms. Evans brought up if I can go to the residential collections and charge that off to our tenants you can take your dumpster out of there. He stated logistically that works for them and the tenants can't stand using the dumpster because the dumpster is disgusting and often only changed out once a week. Mrs. Gutosky asked for a good contact number to be provided now so we can forward it to our commercial customers when they call the borough. County Hauling responded they can call 724-929-7694 the girls at the desk will take your information and provide it Dean and he will call you back and negotiate with you. Dean from County Hauling stated he does remember Mr. Giffin coming to his office and he told him that they will not negotiate because he had all these figures in front of him of delinquent residential accounts. Mr. Encapera stated this is not right! You are not communicating with the residents and you are not communicating with the commercial people. Your issue is a billing issue and it is driving me nuts right now listening to you keep throwing it back on the people it is not right. Your collections are wrong and your billing is wrong and that's the bottom line you need to fix yourselves and then negotiate in good faith with everyone else. Mr. Difilippo stated you just told Mr. Giffin that you are not negotiating then why the hell are we going to call you for. County Hauling stated no sire now we are committed to negotiating. Mr. Encapera stated put it in writing and provide it to us. She stated so we're going to negotiate and your going to help us. Ms. Evans stated they will consider helping you they are not guaranteeing changing the ordinance. Mr. Agrafiotis stated Charleroi splits theirs residential customers and commercial customers. Mr. Difilippo asked so what are we doing with the new gouging invoices they sent to commercial customers. Mr. Alfano stated they are to negotiate with each one in good faith. Mr. Messick asked if my neighbor has a two yard dumpster and I have a two yard dumpster why can't we have the same negotiated price why do we have to separately negotiate it. If you go to the store and I go to the store and we both buy a gallon of milk we will both pay the same price for the gallon of milk. She apologized and she said what's done is done and they will change it and thanked council for their support and they will negotiate. Ms. Evans asked what if council does not change the ordinance to support them. She stated we'll have to have another conversation but we will negotiate but we need some kind of support and if you can't provide it that's something different. Mr. Glab asked her to keep council abreast of the negotiations as to who if it's still conflicted. He said communications is so important.

PUBLIC HOUSING – MR. GLAB

MINIMUM MUNICIPAL OBLIGATION FOR POLICE PENSION PLAN

Mr. Glab stated we have the 2020 Minimum Municipal obligation for the police pension plan is zero (0).

Motion by Glab/Mariscotti to accept the 2020 Minimum Municipal Police pension plan obligation of zero dollars duly carried on a roll call vote with all members present voting yes.

MINIMUM MUNICIPAL OBLIGATION FOR NO- UNIFORM PENSION PLAN

Mr. Glab stated for the Minimum Municipal Obligation for the Non-Uniform pension plan the 2020 obligation is \$48,189.00.

Motion by Glab/Mariscotti to accept our 2020 Minimum Municipal Obligation for the Non-Uniform pension plan of \$48,189.00 duly carried on a roll call vote with all members present voting yes.

PUBLIC WORKS – MR MARISCOTTI

LETTER FROM WEST BROWNSVILLE BOROUGH

Mr. Mariscotti stated we received a letter from West Brownsville Borough and they would like to enter into an intermunicipal joint agreement. Mr. Difilippo asked what do they have that we would want. Dr. Martin asked what is the benefit for California Borough to enter into this agreement. Mr. Mariscotti stated he can't answer that. Mr. Difilippo stated it says they have discussed this with the Street Commissioner. Mr. Tудay did not respond. Dr. Martin stated he sees nothing of benefit to California Borough. Ms. Evans stated can't hurt to check and see what they could offer. Mr. Glab asked if this has anything to do with both municipalities jointly owning Wilson Road. Mr. Tудay stated he doesn't think so. Ms. Evans asked why they need the boom mower? Mr. Tудay stated to cut something on Pittsburgh road which is the big hill from Blainesburg to the railroad tracks. He said it's maybe a one day job once or twice a year.

PUBLIC SAFETY – MR. BITTNER

Nothing to report

FINANCE – MRS. GUTOSKY

MONTHLY BILLS

Motion by Gutosky/Difilippo to pay the monthly bills as presented duly carried on a roll call vote with all members present voting yes.

Mrs. Gutosky stated in October we will be setting up some budget workshops.

PUBLIC HEALTH – MR. DIFILIPPO

WIDMER ENGINEERING INVOICES

#21907284 - \$375.00 – HIGHLAND DRIVE

Motion by Difilippo/Glab to pay Widmer Engineering invoice #21907284 in the amount of \$375.00 duly carried on a roll call vote with all members present voting yes.

#21907293 - \$150.00 – HIGHLAND DRIVE

Motion by Difilippo/Glab to pay Widmer Engineering invoice #21907293 in the amount of \$150.00 duly carried on a roll call vote with all members present voting yes.

#21907334 - \$1,425.00 – HIGHLAND DRIVE – FOLINO RESTORATION

Mr. Difilippo stated this is for the Highland Drive sewer project when Folino came out to do restoration work for two days. He asked Mr. Eby if this is for when they came back out to the job that they screwed up the first time. Mr. Eby stated yes, they came down to do the restoration and blacktop. Mr. Difilippo stated he's not making a motion if they screwed it up let them pay it. Mr. Mariscotti asked if everyone up there is satisfied. Mr. Difilippo stated he spoke with Mr. Sheets and he's okay with it. Ms. Evans stated the only thing she was recently asked about is if the cap over Harris's water pit was fixed yet. Mr. Glab asked if we can withhold this amount from Folino's final payment amount. Mr. Alfano stated we will hold this invoice.

INVOICE – MICHAEL MFG. - \$1,600.00 – GENERATOR TRANSFER SWITCH

Motion by Difilippo/Gutosky to pay Michael Manufacturing invoice in the amount of \$1,600.00 duly carried on a roll call vote with all members present voting yes.

PERSONNEL – MR. MARISCOTTI & MR. ENCAPERA

Nothing to report

JUNIOR COUNCILMEMBER MS. MOCK

Ms. Mock gave updates on the football team, marching band festival, girls tennis team she stated Sydney Smichnick and Raquel Rhodes represented California at the Section singles event yesterday and made it to the second round which is the furthest our tennis team has ever made it

in that tournament. Mr. Alfano asked if she's thinking about a political career. Ms. Mock stated she wants to combine environmental science and policy.

MAYOR'S REPORT – DR. FRANK STETAR RECOGNITION

Mayor Stetar acknowledged the Recreation authority and all involved in the Riverfest which was a wonderful event. He also thanked the Volunteer Fire Dept. for the fireman's parade.

CIVIL SERVICE TESTING

Mayor Stetar stated we are asking the applications be turned in by Oct. 4th and testing will take place on Oct. 19th. He would like a motion to advertise for civil service testing.

Motion by Difilippo/Encapera to advertise civil service testing and applications due by Oct. 4, 2019 duly carried on a roll call vote with all members present voting yes.

LONG BRANCH POLICE AGREEMENT

Mayor Stetar stated he sent the current agreement to Tom to review and hopes to have a new agreement ready for October's meeting. He stated the only changes will be small increase in the rate.

ORDINANCE ENABLING FIRE DEPT. TO BILL BUSINESS WITH REPEAT FALSE ALARMS

Mayor Stetar stated he is looking for a motion by council to authorize the Solicitor to look into and draft an ordinance allowing the fire department to bill commercial businesses who have repetitive false alarms say a fine of \$300.00 - \$500.00 if they have more than three false alarms over a six-month period. Ms. Evans asked if the fire department will do the billing. Mayor Stetar stated yes, they will. Chief Sheehan stated there is a State law on the books but it leaves the decision up the Magistrate as to whether to enforce it or not. This Ordinance will bypass that one and cut down on nuisance alarms and be a bit more enforceable if it is a borough ordinance.

Motion by Difilippo/Mariscotti to have the Solicitor to look into an ordinance for billing commercial businesses for repeat false alarms duly carried on a roll call voted with all members present voting yes.

PAVILLION PROJECT

Mayor Stetar stated he would like to thank council for the support of the pavilion project and he's talked to several council members along with Rich and it's a lot of money but we don't have anything in town. His goal is to work with the recreation authority to have events there constantly throughout the year and hopefully the local businesses will grow and new businesses may come.

ENGINEER'S REPORT – STEVE EBY HAVE MS4 SIGNED OFF BY COUNCIL PRESIDENT

Mr. Eby stated he needs a motion to have Council President sign off on the MS4 submission which basically every year we are required to check the outfall after a rain.

Motion by Difilippo/Mariscotti to authorize President Alfano to sign off the MS4 submission duly carried on a roll call vote with all members present voting yes.

Mr. Eby stated next year they want to have the urbanized area storm water, inlets, etc. basically any water that collects and end up in the river.

BID FOR ELECTRICAL WORK FOR NEW GENERATOR- COLLEGE PUMP STATION

Mr. Eby stated he received a quote from Michael Manufacturing for the electrical work to hook up the new generator. It will be delivered on the 25th and start up will be Oct. 1st.

Motion by Mariscotti/Glab to hire Michael Manufacturing to hook up the new generator at a cost of \$1,500.00 duly carried on a roll call vote with all members present voting yes.

SALE OF OLD GENERATOR

Motion by Mariscotti/Difilippo to place the old generator for sale on Municibid duly carried on a roll call vote with all members present voting yes.

Dr. Martin asked Steve to send him the specs and he will set up the post in municibid.

HIRE CRANE TO SET NEW GENERATOR

Mr. Eby stated he has a bid of \$500.00 to lift and place the new generator onto its pad.

Motion by Mariscotti/Difilippo to hire crane to come out on the 25th to remove old generator and take to sewer plant and lift new generator and place it at a cost not to exceed \$500.00 duly carried on a roll call vote with all members present voting yes.

CHANGE ORDER – FOLINO PROJECT

Mr. Eby stated he needs a notion to sign change order for \$24,851.55 as a deduct to the project. He stated this just changes the contract amounts.

Motion by Mariscotti/Difilippo to approve change order #4 duly carried on a roll call vote with all members present voting yes.

PAYMENT APPLICATION #8- FOLINO

Mr. Eby stated we have pay app. #8 in the amount of \$71,557.48 as final payment. Mr. Difilippo asked what this is for. Mr. Eby stated it pays them off. Mr. Difilippo asked where the sheets are we use to get that shows what was done and paid. Mr. Eby stated he'll put one together. Mr. Difilippo asked if we are holding anything back. Mr. Eby stated no nothing. Mr. Alfano asked council what they want to do.

Motion by Glab to table until we resolve this and Widmer bill's for restoration inspection. Mr. Alfano asked Steve to reduce the amount of this final bill by the amount Widmer's inspection bill. So, if they agree the Borough will pay Widmer and reduce Folino's bill by that amount. Mr. Eby stated I'll ask but I don't want to get into a legal battle so can we approve it contingent on them approving to reduce their bill and you paying mine.

Motion to approve paying Folino's payment app. #8 contingent on them agreeing to reduce their bill by Widmer's bill of \$1,425.00 for restoration inspections duly carried on a roll call vote with all members present voting yes except Mr. Difilippo who voted no.

PAVILLION PROJECT – LSA FUNDS

Mr. Eby stated he has a couple more numbers with him if you want to change up the pavilion. Mrs. Gutosky asked him to reduce that to paper so council can look at it. He stated it's all the same numbers he just changed the roof from metal to shingled and removed stamped concrete. Ms. Evans stated and those totals are without prevailing wages so your cost will increase. He stated keep in mind that you can only cover 50 x 100 with concrete or you will have to do a stormwater plant which will drive your cost up more. There was more discussion but not motion was made. Mr. Eby asked how much does council want to go for from LSA funds. He stated we can change the bid specs once we're ready to build but you need to get your funds, go out for bid but right now he needs to know how much council wants to apply for. He stated the total cost with what he has now is \$366,000.00. Mrs. Gutosky stated when she looks at the pictures it looks like a modern rustic structure and she doesn't think it matches the aesthetics of the downtown area. Mr. Difilippo agreed it will stick out like a sore thumb. They both said they like the idea but not the style she asked the engineer if he could make it match a little better to the current buildings in the downtown area. Ms. Evans asked what kind of motion is he looking for. Mr. Eby stated he needs to know how much council wants to ask for on the LSA application because the building can change anytime so right now we are just looking at how much you want to ask for. Dr. Martin stated for LSA purposes he doesn't know why we couldn't say we committed two years' worth of community block development grant money approximately \$190,000.00. He stated that's what he would do for LSA purposes. Mr. Alfano stated we don't have to commit to any specific style of pavilion on the LSA application. Mr. Alfano stated go for the \$366,000.00 subtract the CDBG money and ask for the difference.

Motion by Mariscotti/Glab to request the difference of \$366,000.00 minus the CDBG money on the LSA application duly carried on a roll call vote with all members present voting yes.

HISTORICAL SOCIETY – LSA FUNDS

Mr. Alfano asked Mr. Eby if we are doing something for the Historical Society for LSA fund also. Mr. Difilippo stated he thought we were going to bid that out and see what the costs are for ripping that down. Mr. Eby stated it was bid last year and the lowest number was too high. Mr. Alfano asked Mr. Eby to go back and ask for more LSA money for them.

BLAINE ROAD AND HIGHLAND DRIVE – SEWER

Mr. Difilippo asked where are we at and asked him to provide some numbers for the other half of the Highland Drive sewer project. Mr. Eby stated it is all designed we'll just have to cut off this half we just finished. Mrs. Gutosky asked if everyone was tapped in. Mr. Eby stated 5 houses are tapped in so far. Ms. Evans stated only two are tapped. Mrs. Gutosky asked if they were given a certain period of time to tap in. Ms. Evans stated yes on the 24th is there deadline. Mrs. Gutosky so they are out of time on the 24th and asked where we are at with that. Mr. Agrafiotis stated Mike will have to cite them. As far as some of them there are concerns with the elevation. Mr. Eby stated he is going to help Jeff with Mr. Koban's tap and shoot some of the others. His biggest concern is the first house because no one knows where their line is and she hasn't hired a contractor so we don't know. Ms. Evans stated wouldn't you put her tap on the lowest part of her property wouldn't that cover us on depth. Mr. Eby stated he doesn't need to be covered the whole nobody knows where to dig or where her pipe is. He stated his tap is deep enough. Ms. Evans asked if it was tapped on top of the hill. Mr. Eby stated it is but it's four feet below surface. Ms. Evans stated if you would have put the tap on the lowest part of her property she would get flow from house and basement. Mr. Eby stated he told her they could put it lower but your contractor doesn't want to put that line in. He said that tap could be 10 feet deep but nobody wants to dig 10 ft deep. He said we don't know if her lines come out straight in front of her house or the other side, nobody knows. He stated he doesn't want to screw a contractor to come in there and do something, they might have to lower it and follow it back. Mr. Alfano asked if they could camera it. Ms. Evans stated but once again it isn't our problem if the tap was at the lowest part of the property there wouldn't be an issue. Mrs. Gutosky stated yes why is it our problem. Mr. Difilippo stated where are we at and what do we have to do to finish that project up on the other side of Highland Drive. Mr. Eby stated we got the drawings and we got the permits he will bring the drawings next month and you guys approve them we'll advertise it. He said if you want he'll email the drawings and if council wants them changed he can have that done and then council can vote at the next meeting if they want to.

SOLICITOR'S REPORT – MR. AGRAFIOTIS ORDINANCE 566 – BURNING ORDINANCE

Mr. Agrafiotis stated Ordinance 566 was in the paper last Thursday, Sept. 5th and it is ready for adoption. Mr. Alfano stated this is the burning ordinance. Mr. Difilippo asked about recreational burning is there something in there that address fire pits. Mr. Petro stated that was addressed and in the ordinance in the C2 district that states no burning closer to 25' to a structure and recreational burning is not allowed within 25' of a structure and it also says the premanufactured pits that you can buy at Lowes are allowed according to manufacture's specifications.

Motion by Difilippo/Mariscotti to adopt Ordinance 566 duly carried on a roll call vote with all members present voting yes.

SAI TAX – TAX EXEMPT STATUS

Mr. Agrafiotis stated our friends at SAI are trying to get some more tax exemptions and the school district has already authorized their attorney to jump in. He asked council if they want him to get involved. He stated they are seeking a complete tax exemption for Vulcan Village and we do have an agreement that covers it.

Motion by Difilippo/Mariscotti to authorize the solicitor to follow and report to council any status on the SAI tax exemption filing duly carried on a roll call vote with all members present voting yes

CONDITIONAL USE HEARING – VERIZON

Mr. Agrafiotis stated as you know we had conditional use hearings prior to this meeting and we need to have another one within 45 days so he asked council if they want to do it prior to the regular meeting in October or select another night. Council agreed that the conditional use hearing will be Oct. 10, 2019 at 5:30 pm for decisions on 187 Beazel St. and 415 East St. because the other location on Third & Union is on hold.

Motion by Mariscotti/Encapera to hold the conditional use hearing on Oct. 10, 2019 at 5:30 duly carried on a roll call vote with all members present voting yes.

OLD BUSINESS

No old business at this time.

NEW BUSINESS

Ms. Evans stated she was instructed to bill everyone on Highland Drive for and everyone other than the two that are tapped do not feel they should pay it because they are not receiving the service. Mr. Mariscotti stated they would have to be tapped in to get charged usage but should pay the debt fee and capital reserve.

RECOGNITION OF CITIZENS

Christine Kinder stated on Tuesday at 11:00 they will be holding a rededication for Cooper Hall and that is an 80 year old building on campus and has been completely renovated. She stated anyone that would like to tour the building please come down. The 21st and the 22nd is our family weekend so we'll have some folks in town. Oct. 10, 2019 at 11:00 the Chancellor for the State system is going to be on campus and this will be his 3rd visit about system redesign and what they are thinking about in Harrisburg and some of their plans will inevitably affect the 14 University towns across Pennsylvania.

Greg Ruth announced that the annual fire department golf outing is coming up on Sept. 27th at Nemaquin Country Club any support whether it be sponsorship or make it out that day they would appreciate your presence. He stated if you are not a golfer they charge a fee for the dinner following the golf so come out and support your fire department.

ADJOURNMENT

Motion by Difilippo/Glab to adjourn at 10: 05 carried with all members present stating aye.