

Continued Meeting of California Borough Council, December 19, 2016, 6:00 pm

President Alfano called the meeting to order at 6:00 pm.

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

ABSENCE: Mr. Encapera, Mr. Mariscotti, and Mayor Weld

PRESIDENTS'S REPORT – MR. ALFANO

CDBG FUNDING

Mr. Alfano stated that Senate Engineering finally determined that the cost of the Lighting on Wood Street that would match what we currently have that with our 2016 CDBG money all we could complete is half of Wood Street. So if it is council's pleasure we could use the 2017 CDBG monies to complete the other half of Wood Street and hopefully complete the project but we won't be able to retrofit any of our current lights to LED.

Motion by Difilippo/Gutosky to rescind prior motion for use of CDBG funding from Continued meeting of Nov. 21, 2016 duly carried with all members present voting yes.

Motion by Difilippo/Bittner to approve using the 2017 Community Development Block Grant funding in conjunction with our 2016 Community Development Block Grant funding to complete the lighting project along Wood Street duly carried on a roll call vote with all members present voting yes except Mr. Glab who voted no.

2017 TAX ORDINANCE

Motion by Gutosky/Glab to adopt the 2017 Tax Ordinance duly carried on a roll call vote with all members present voting yes.

BOROUGH ADMINISTRATOR'S REPORT

INFORMATIONAL UPDATES ON FLOODING

SKYLINE DRIVE

Dr. Martin stated he, Mr. Eby, Mr. Taday, and Mr. Alfano responded to a complaint today from a homeowner up on Skyline Drive and apparently two years ago or more they redid a portion of Skyline Drive with some Highway money and he maintains that the road was never property crowned nor was the curb in front of his house property placed at that time. He has complained before that when there is a hard rain he gets water it comes across the road and into his yard. He has a driveway that the top of it is cement but the slope and lower portion of the driveway are free laying pavers on a bed of sand. In this last storm when we got 5" of rain in 3 hours the sand washed out from under. The pavers sank the driveway collapsed and now he can't even get his vehicles out of the basement to the road. We looked at the site today and there is extensive damage and it is clear the water is doing what he maintains it is doing from the road and you can see very clearly that it is washing down through his property. We asked Steve Eby to work on this and get us some kind of fix for the problem itself to keep it from happening again. He has given Patsy some information on that. At Patsy's suggestion our insurance company was contacted and had some preliminary discussions with them because the gentleman appeared to want the borough to compensate him for the loss of his driveway since it was our directed storm water that caused the damage. He stated he put our insurance company on alert to that possibility. He mentioned litigation and Patsy shut him down immediately stating that we will just walk away now and not discuss it and his attorney can talk to the borough's attorney.

MALDEN ROAD

Dr. Martin stated Ron Santo received a call on Saturday about the pump station on Malden was overwhelmed and couldn't keep up and all the pumps were pumping at full capacity and could not keep up with the infiltration that was coming into that system. The gentleman that had called was in the process of putting in a back flow preventer but hasn't completed that yet.

VULCAN VILLAGE

He stated he also knows that there was extensive water backing up into building 7 at Vulcan Village and Ron had met with the people up there and this has been an ongoing problem. Ron

believes that they have tied in from the stadium that is directing a lot of the storm water in to the sewer system up there. That pump station was also working at full capacity and was just unable to keep up with the flow. Ron wants to have a meeting with Spandy and try to get the as built on whatever system they have up there to ensure they are not running storm water into the sewer system which he believes is good possibility at this point. Mr. Glab stated he was over there when they constructed that parking lot and they have huge holding tanks underneath the surface that can hold substantial amount of water but once those are full where it goes after that he couldn't say. Mr. Vitchoff stated the amount of money we have spent over the last several years there should not be a drop of storm water going into the sanitary system. Let's be truthful about this we have spent millions of dollars separating these and it hasn't worked and it should be to no one's surprise that it is not working. We all knew that and nobody ever went after the guys who engineered and did the jobs. Somebody has to take responsibility for something here.

BEAZEL AND SECOND ST. SEWER ISSUE

The other situation which wasn't directly related to Saturday nights storm is an issue on the loop road at Beazel and Second where the loop begins. We have a reported issue down there that when the University put the loop road in they apparently set a catch basin in a position that caused it to interfere with one of our sewage lines coming out of the house on the corner of Beazel and Second St. He and Ron Santo went down and met with some people from the University and next week they are going to lift that catch basin up out of there so Ron can get down in there and see what exactly is broken and what needs to be tied back into what. They want to do it next week because that is when there will be the least activity up there.

Mrs. Gutosky asked about Sepesy's issue off of Highland Drive. Dr. Martin stated that the engineer, code enforcement, one or two council members and myself went up and took a look at that we referred the matter to our attorney and it doesn't appear at this point that it is anything more the lay of the land. Mr. Agrafiotis stated he's not heard back yet from John Higgie the attorney from SAI on their position.

PUBLIC HOUSING- MR. GLAB

RESOLUTION AMENDING ZONING PERMIT FEES

Mr. Glab asked the Solicitor to explain it.

Mr. Agrafiotis stated Mr. Petro suggested making some changes to Resolution 05-102 and he provided his proposed changes to Dr. Martin to review. He stated it updates the permit fees making the fee for improvements to existing structures remains the same at ½ % of the value of construction, new structures the fee will continue to be ½% of the value of the structure, a sign permit the fee would now be \$25.00, a change of use permit would now be \$25.00 and all permits would have a minimum fee of \$25.00. There is some language that John put it there to differentiate when he would take action or refer to our UCC inspectors.

Motion by Glab/Bittner to adopt resolution 16-007 updating the zoning fees and differentiating some items in the zoning office duly carried on a roll call vote with all members present voting yes except Mr. Difilippo who voted no.

PUBLIC SAFETY – MR. BITTNER

Nothing to report

FINANCE – MRS. GUTOSKY

Nothing to report

PUBLIC HEALTH – MR. DIFILIPPO

Nothing to report

RECOGNITION OF CITIZENS

MR. VITCHOFF

Mr. Vitchoff stated this has been ongoing since he took Mr. Bittner to his property on rear Third Street, infiltration of water from the sanitary sewer system. Mr. Bittner stated is that before we put the check valve in. Mr. Vitchoff stated yes the check valve that every time he gets water he makes this request over the last 15-20 years gets told the check valve is working. He contends the check valve is not working because he's still getting water when it storms through the

sanitary system. Mr. Vitchoff stated that is an improved apartment and he jumped through all the borough's hoops to have it there and this is getting old. This is the second rain event this year that he got water. He spoke to Dr. Martin the last time and Santo went down and they say the check valve is working. He stated this is an ongoing problem. It is apparent that there is a problem admitted by the fact you installed the check valve in the first place. Dr. Martin stated Ron went down and looked over that and stated part of the problem with that is the basic engineering of that part of the system because they have a much larger line coming down the hill through there that actually dampers down to a significantly smaller line and he maintains that the two or three times a year when we have significant rains that is going to happen, however the cost of repairing something like that he felt was going to be astronomical because it is going to involve taking about two blocks of the smaller line and replacing it with the size of the one that is coming across. He was to have reported that back to Doug with that and they were to get some costs. Mr. Alfano stated are you saying the storm water is smaller or the sanitary line. Dr. Martin stated the sanitary line. Mr. Alfano stated how is the storm water getting into the sanitary line. Mr. Vitchoff stated that is the issue and the problem. Mr. Vitchoff stated we've done this twice now and we've done it twice on Ellsworth St. Mr. Bittner stated he'd like to see our engineer review all the drawings because we've done a significant amount of work on East Street and the alley behind the dollar store. He thinks we need an engineer to review it all and see what the issue is. Mr. Vitchoff stated these particular problems are not coming from any residential property infiltration. Mr. Alfano stated maybe we need to put dye in the storm sewers and see where it is going. Mrs. Gutosky asked Mr. Vitchoff where he thinks it is coming from. Mr. Vitchoff stated it is coming from an error in the engineering and the construction of the separation of the storm sewers from the sanitary sewers. This goes back to when everything was in one pipe and then we started spending hundreds of thousands of dollars separating them. Mr. Vitchoff stated how is this happening and we all know the answer but nobody wants to say it.

Mr. Vitchoff stated on another topic he gave a written request to the Borough on reimbursements that he feels he is entitled to for the sewer lines he installed on Knob Road and the borough receiving money for people tapping into his line. He stated nobody seems to want to talk about it. He approached the engineer a couple of times so you flipped it over on him because nobody wants to talk to me about it. Apparently no one wants to discuss it but something has to happen. Everyone knew what I was doing, I bought parts and material from the borough that were left over from the magical road bore and I'm sitting here with you owing me some kind of money. He was told from the engineer at the time all he wanted was sound engineering. It is obviously working we're on the 4th or 5th year and somebody is using the sewer system up there without any complaints so where are we going with this. He stated anyone that wanted to stop him should have stopped him but there is something wrong with this picture He doesn't want to be adversarial but we can't just keep dancing around. You wrote the rules and he played by the rules. Mr. Bittner stated there was a document here in this borough outlining the procedure of when someone puts in a sewer line and Art Brower prepared it and he knows he had a copy of it but he'll see if he still has it. He stated you're line isn't the only one there is another line put in down here. He stated the process wasn't very complicated and it was easy to understand and it was delineated what takes place. He stated he doesn't know if this was Art's interpretation of the ordinance or what. Mr. Agrafiotis stated Steve Eby and he had spoken about this so he will get with Steve and Dr. Martin and come up with a number. It may be a number Mr. Vitchoff isn't happy with but it will be our number.

MR. MADDIEX

Mr. Maddiex announced that the Planning Commission will meet on Jan. 3rd and will reorganize and he wished everyone a Merry Christmas.

ADJOURN

Motion by Bittner/Difilippo to adjourn the meeting at 7:00 pm carried with all members present stating aye.