

Regular Meeting of California Borough Council, December 8, 2016

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

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

ABSENCE

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ADDITIONS OR CHANGES TO AGENDA

Mrs. Gutosky added Solicitor's bills

PUBLIC COMMENT

MINUTES

Regular meeting of November 10, 2016

Motion by Mariscotti/Glab to approve the November 10, 2016 minutes carried with all members present stating aye.

Continued Meeting of November 21, 2016

Motion by Mariscotti/Difilippo to approve the minutes of the continued meeting of November 21, 2016 carried with all members present stating aye.

SECRETARY'S REPORT –MS. EVANS

Ms. Evans read the accounts payable and account balances as of November 30, 2016

Motion by Difilippo/Mariscotti to approve the secretary/treasurer's report carried with all members present stating aye.

PRESIDENT'S REPORT – MR. ALFANO

2017 CDBG FUNDING - \$81,400.00

Mr. Alfano stated we thought we had settled on a project for our 2017 CDBG funding but he received a panicked call from Senate Engineering this afternoon who is the Engineers for the grant project and they've been having a hard time getting costs on the new light poles. The company that produced the last ones is no longer in business and they are having a difficult time getting the poles. He stated we grossly underestimated the costs of the 2016 project so we're looking at \$130,000.00 to \$140,000.00 to complete the 2016 project which is lighting on Wood Street which we budgeted at eighty some thousand so we have a short fall. With that being said a portion of our 2017 funding will have to go to make up the difference in the 2016 project and what is left we can see how many lights on Third Street we will be able to retrofit to LED. They have preliminary numbers today but will firm them up in the upcoming week. We'll have to have to address this at our continued meeting since a project resolution is needed by the year end.

MID MON VALLEY TRANSIT AUTHORITY REPRESENTATIVE

Mr. Alfano stated we need to appoint someone as our Mid Mon Valley Transit Authority Representative. Mr. Bittner was our representative and Mr. Encapera is willing to take his position as our MMVTA Representative.

Motion by Bittner/Difilippo to appoint Ryan Encapera as the California Borough's Mid Mon Valley Transit Authority Representative carried on a roll call vote with all members present voting yes except Mr. Encapera who abstained.

PLANNING COMMISSION MEMBER

Mr. Alfano stated Mr. Maddix's term on the Planning Commission is expiring this year and we have two applications of interest for this position, one from Mr. Maddix and resident Joseph Grodz. Mr. Alfano asked council what their pleasure is.

Motion by Encapera/Gutosky to appoint Mr. Maddiex to another four year term on the California Planning Commission duly carried on a roll call vote with all members present voting yes.

MACKIN ENGINEERING INVOICE #44010

Mr. Alfano stated we have an invoice from Mackin Engineering in the amount of \$831.35 what is council's pleasure.

Motion by Glab/Difilippo to pay Mackin Engineering Invoice # 44010 in the amount of \$83.35 duly carried on a roll call vote with all members present voting yes.

REQUEST FROM WEST BROWNSVILLE BOROUGH - \$4,900.00

Mr. Alfano stated we have a request from West Brownsville Borough concerning some paving that was done on a 240' section of Wilson Road from Route 88 to the stream. The road is share between both boroughs. They are asking us to share the cost of \$9,800 for this paving with them. Mr. Mariscotti asked where we could pay this from. President Alfano stated how about Act 13 money. Mr. Petro stated yes you can use that money for paving. Mr. Glab asked if we were consulted with this. Mr. Alfano stated it was brought up but he doesn't know if it was brought up to the whole council but there was nothing formally in writing or information brought to us prior to them completing the project. Mr. Glab asked how many feet they did for \$10,000.00. Mr. Glab stated that is a substantial amount of money. Mr. Bittner asked Mr. Tудay if they put any base in there. Mr. Tудay stated he wasn't there he's not sure. Mr. Encapera stated it is not a very neighborly thing for West Brownsville to do and then just send us a bill. He thinks they should have kept us well informed of this project not wait till it's done then send us a bill. Mr. Glab asked Mr. Tудay if he looked at the project and he wasn't happy with it. His crew took some millings up and fanned out the edges on the Route 88 side of. The approach ramp they just went straight out. So he has his guys take up about 10 ton of millings to fix it. Mr. Bittner stated if we vote affirmative on this he thinks a letter should accompany our check that this will be the last time we will pay a bill unless there is a cooperative agreement between both boroughs in advance of completing a project. Mr. Glab asked Mr. Tудay if he thinks the surface will last. Mr. Tудay stated he can't answer that.

Motion by Mariscotti/Glab to pay \$4,900.00 to West Brownsville Borough as a reimbursement for their paving bill to DEMCO duly carried on a roll call vote with all members present voting yes except Mr. Encapera and Mrs. Gutosky who voted no.

ADVERTISE 2017 COUNCIL MEETINGS

Motion by Mariscotti/Bittner to authorize advertising the 2017 council meeting dates duly carried on a roll call vote with all members present voting yes.

RECREATION AUTHORITY MEMBER

Mr. Alfano stated Amelia Mitchell's term on the California Borough Recreation Authority will expire at years end and she would like to be re- appointed to another term.

Motion by Difilippo/Mariscotti to reappoint Amelia Mitchell to another four year term on the Recreation Authority duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated this past Sunday we cohosted Holly Days and had about 40 more children in attendance over last year so it was a great success.

Mr. Alfano stated the Recreation Authority approved their 2017 budget which is balanced at \$35,000.00.

BOROUGH ADMINISTRATOR- DR. MARTIN

INFORMATIONAL UPDATES

Dr. Martin stated we met this morning with representatives from the University to address a sewage problem at the corner of Second and Beazel Street. The University is cooperating with us and we hope to have that situation soon rectified.

TIGER PAYMET OPTIONS

Dr. Martin stated is asking for a motion to authorize the expense of \$358.18 to purchase a laptop computer for the Zoning Department. This was the computer that we discussed previously in the agenda meeting. For purposes of the auditor we need to have a motion on file authorizing the purchase of that computer.

Motion by Glab/Difilippo to purchase a laptop computer from Tiger Direct in the amount of \$358.18 duly carried on a roll call vote with all members present voting yes .

EMERGENCY SNOW REMOVAL CONTRACTORS

Dr. Martin stated at council's request he put out the information soliciting emergency snow removal contractors to supplement our own department and we did receive two separate bids both at \$90.00 per hour. One is from Maund Industries, Inc. and the other is from Britton & Sons. Both of these contractors will be available to us at \$90.00 per hour. That includes equipment and operator. Mr. Agrafiotis asked if they were exactly the same on all the terms. Dr. Martin stated that is correct. Dr. Martin stated he would like to keep them both on the list. Mr. Agrafiotis stated you will need to alternate them then. Mr. Bittner stated we will need proof of insurance from both of them also.

Motion by Difilippo/Encapera to hire Maund Industries, Inc. as an emergency snow removal contractor at a price of \$90.00 per hour for operator and equipment providing proof of insurance is received duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Bittner to hire Britton & Sons as an emergency snow removal contractor at a price of \$90.00 per hour for operator and equipment providing a proof of insurance is received duly carried on a roll call vote with all members present voting yes.

Mr. Agrafiotis stated they should both probably name the borough as an additional insured.

PUBLIC HOUSING – MR. GLAB

ADVERTISE 2017 PLANNING COMMISSION MEETINGS

Motion by Glab/Difilippo to authorize the advertising of the 2017 Planning Commission dates duly carried on a roll call vote with all members present voting yes.

Mr. Glab stated he will provide these dates to Shirley.

ADVERTISE 2017 ZONING HEARING BOARD MEETINGS

Mr. Agrafiotis stated there is no requirement to list all meetings because if there is no application filed then there is no meeting. So to save you the cost of advertising it is not a requirement.

ZONING HEARING BOARD MEMBER

Motion by Glab/Difilippo to appoint Pat Vitchoff to another three year term to the Zoning Hearing Board duly carried on a roll call vote with all members present voting yes.

Mr. Glab stated his term will start Jan. 2, 2017 and expire on Jan. 2, 2020.

UCC APPEALS BOARD MEMBERS

Motion by Glab/Mariscotti to appoint Ron Parshall to the UCC Appeals Board for another term expiring Dec. 31, 2019 duly carried on a roll call vote with all members present voting yes.

ICC MEMBERSHIP

Motion by Glab/Bittner to renew the ICC Membership in the amount of \$135.00 duly carried on a roll call vote with all members present voting yes.

Ms. Evans asked Mr. Petro if the zoning department had received an invoice because she will need something to make payment by. He stated no.

RESOLUTION AMENDING ZONING PERMIT FEES

Mr. Agrafiotis stated Mr. Petro has given him some proposed amendments to the zoning permit amendments and he will have that resolution ready for the continued meeting.

PUBLIC WORKS – MR. MARISCOTTI

EXTENDED WARRANTY ON THE PETERBUILT

Motion by Mariscotti/Glab to extend the warranty on the engine to 5 years at a cost of \$3,150.00 and to extend the warranty on the transmission to 5 years at a cost of \$500.00 for a total cost of \$3,650.00 to be paid out of Act 13 fund money duly carried on a roll call vote with all members present voting yes.

Ms. Evans asked who is that paid through and Mr. Tудay stated it is through Peterbuilt. Mrs. Gutosky asked if there is a deductible and Mr. Tудay stated no. Mr. Glab asked if in 2021 if it will be on the anniversary of the delivery date. Mr. Tудay stated January of 2021 but he will double check that. Mr. Glab asked what kind of warranty came with the vehicle. Mr. Tудay stated we have two years on the motor and three years on the transmission. Mr. Alfano stated so it will extend the motor coverage three years and the transmission coverage two years. Mr. Tудay stated he doesn't know why but all warranties are like that. Mr. Tудay stated so we are extending the original warranty to five years not adding on five years to the original warranty but that is how all standard warranties are. Mr. Glab asked Mr. Tудay if he's heard anyone having trouble with this model of vehicle. Mr. Tудay stated no but Mr. Mariscotti stated yes his brother in law had to put a new transmission in his.

PUBLIC SAFETY – MR. BITTNER

LONG BRANCH BOROUGH AGREEMENT

Mr. Bittner stated we have to revise the Long Branch Police agreement. Mr. Agrafiotis stated Mr. Makyl forwarded the agreement to him last week and it is agreed at a cost of \$1,830.00 a month over the next three years.

DODGE CHARGER AND FORMRE K9 VEHICLE

Mr. Bittner asked council to think about what they may want to do with these two vehicles. The Charger right now needs some engine repairs and the K9 vehicle is now being used by the meter person and the Borough Administrator, whom I concur with, seems to think that we are paying insurance on these two vehicles and to keep repairing these vehicles just doesn't seem necessary. Plus we would like to possibly purchase another vehicle this upcoming year. Mr. Tудay stated he has a price for repair the dodge and it will be between three and four thousand dollars. Mr. Bittner asked Shirley and Chief to put together some numbers on what we have spent on these cars in the last year. Chief Encapera asked them to keep in mind that the dodge charger is only used 8 months out of the year.

USED BULLET PROOF VEST DONATION AGREEMENT

Mr. Agrafiotis stated he did revise some of the language which states they cannot hold the borough responsible if one of these vests fail and council has already authorized the agreement as long as the solicitor is satisfied. He stated he is satisfied so Mr. Bittner can get the vests to them once they sign the agreement.

FINANCE – MRS. GUTOSKY

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

Motion by Gutosky/Difilippo to pay the Solicitor's bills at a cost of \$3,299.00 broke down as General fund - \$3,211.00 and Sewer Fund - \$88.00 duly carried on a roll call vote with all members present voting yes.

2017 BUDGETS

Motion by Gutosky/Bittner to adopt the 2017 General Fund Budget which is a balanced budget at \$2,033,676.48 duly carried on a roll call vote with all members present voting yes.

Motion by Gutosky/Glab to adopt the 2017 Sewer Fund Budget with revenue at \$1,959,700.20 and expenses at \$1,958,743.30 duly carried on a roll call vote with all members present voting yes.

Motion by Gutosky/Difilippo to adopt the 2017 Highway Aid Fund Budget balanced at \$264,989.71 duly carried on a roll call vote with all members present voting yes.

2017 TAX ORDINANCE

Motion by Gutosky/Glab to advertise the 2017 Tax Ordinance with a total of 3.3 mils broke down as 2.65 mils for general purposes, three tenths of a mil for fire service, 19 hundredths of a mil for streets and 19 hundredths of a mil for recreation duly carried on a roll call vote with all members present voting yes.

Mr. Glab stated this pretty much remains a tax neutral ordinance with no increase but some individuals may have a small increase others may see no increase and some may see a reduction.

PUBLIC HEALTH – MR. DIFILIPPO

LENON, SMITH SOULERET ENGINEERING INVOICE

Motion by Difilippo/Glab to pay Lenon Smith & Souleret invoice #201605172 in the amount of \$1,200.00 duly carried on a roll call vote with all members present voting yes.

RESOLUTION ADOPTING THE REVISED 537 PLAN INCORPORATING THE HIGHLAND DRIVE PROJECT

Motion by Difilippo/Gutosky to adopt the resolution adopting the 537 Plan incorporating Highland Drive duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated just as a point for information, Dr. Martin, Steve Eby and myself went to the LSA Grant presentation this past Monday to pitch our project.

PERSONNEL – MR. ENCAPERA AND MR. MARISCOTTI

MAYOR’S REPORT – MR. WELD

COST OF DODGE CHARGER

Mayor stated we discussed this earlier.

Nothing to report

ENGINEER’S REPORT – STEVE EBY

SLUSARCYK EXCAVATING INVOICE #3371 - \$1,100.00

Mr. Eby stated we have a bill from Slusarczyk Excavating from when we did the bore and tap on Knob Road. Ron wasn’t able to get through the Shale rock and Slusarczyk was already there for the property owners so we had him do our excavation and that is what this invoice is for.

Motion by Difilippo/Bittner to pay Slusarczyk Excavating invoice # 3371 in the amount of \$1,100.00 duly carried on a roll call vote with all members present voting yes.

PILLAR INNOVATIONS PROPOSAL

Mr. Eby stated he had previously spoke to council about the SCADA system at the sewer plant and how the operators were not able to address the alarms without driving in to town and physically looking at the potential problem. He stated he had a company come in and give a proposal on updating this.

Motion by Bittner/Difilippo t approve the quote from Pillar Innovations at a cost not to exceed \$3,500.00 duly carried on a roll call vote with all members present voting yes except Mr. Encapera and Mr. Mariscotti who voted no.

Mr. Eby stated just an update on the PA Small water grant those projects won’t be awarded until March 23 of 2017 so we won’t hear anything until then. They did take out the paving of the access road which is not allowed.

SOLICITOR'S REPORT – MR. AGRAFIOTIS

BOROUGH /HAYES PROPERTY TRANSFER

Mr. Agrafiotis stated Mr. & Mrs. Hayes did sign the deed tonight but it still needs the recording number of the subdivision plan on it. So council needs to authorize the recording of the subdivision. Mr. & Mrs. Hayes agreed to pay \$1,200.00 which would cover our cost of the subdivision and the property was assessed at \$320.00 and they have been maintaining this property for over 20 years. He stated it was already approved to transfer the property over to the Hayes so we need council to approve the subdivision plan for the Hayes line shift.

Motion by Mariscotti/Bittner to approve the subdivision of the Hayes line shift duly carried on a roll call vote with all members present voting yes.

ORDINANCE 557 INTERMUNICIPAL POLICE AGREEMENT

Mr. Agrafiotis stated we adopted the same ordinance in 2014 entering into an agreement for 2014, 2015 and 2016 with Long Branch for police services. Now we need to adopt this ordinance for the agreement for 2017 through 2019.

Motion by Bittner/Difilippo to adopt Ordinance 557 authorizing entering into an agreement with Long Branch Borough duly carried on a roll call vote with all members present voting yes.

EXCECUTIVE SESSION

Mr. Agrafiotis asked for a brief executive session on litigation and would like Mr. Tудay to attend.

OLD BUSINESS

No old business at this time

NEW BUSINESS

Motion by Glab/Difilippo to release the Escrow Account for Cal Tech 7 which was held for a guarantee for the storm water management construction site in the amount of \$23,884.00. He stated this is based on Widmer's satisfactory inspection which occurred Dec. 7th of this year and the agreement including plans on page 700.710 dated March 2016. They were duly recorded on 112-5-16 the approval was contingent upon Cal7 reimbursing the borough the engineering cost of \$360.00 for the storm water management review done by Widmer Engineering on March 1, 2016 and the cost in the amount of \$315.00 for the inspection of the completion of the site work done by Widmer Engineering totaling \$675.00 duly carried on a roll call vote with all members present voting yes.

Ms. Evans asked if they are paying us the \$675.00 then we are releasing the escrow or are we withholding the \$675.00 from the escrow. Mr. Petro stated they are paying us separately and then we'll release the escrow. Ms. Evans stated the amount in their escrow account is \$23,898.14 so that would be the amount we are releasing. Mr. Glab stated we'll release whatever balance is in their account.

Mr. Petro stated just for a point of interest the man wants this done, they received the occupancy permit from McMillen Engineering who inspected inside and issued occupancy and he wants to close this account out by the end of the fiscal year and that is why he is in a hurry to get it done. Mr. Petro stated he will send them the invoices tomorrow morning and they'll send us a check and then he hopes the escrow is released.

Mr. Glab asked Mr. Tудay if they are finished with Technology Drive repairs. Mr. Tудay stated not yet he understands they have to seal the cracks along the concrete and they are going to wait. Mr. Glab asked if Technology Drive is on our Liquid Fuels list. Mr. Tудay stated not yet but as soon as the project is done he will call Stephanie Whitlach in to inspect it and get it put on. Mr. Glab stated while doing that there are a few other streets in the borough that are not on there so should we at that point see what is required to get those on liquid fuels. Mr. Tудay stated yes we can do that. Mr. Glab stated if it is just some minor trivial things you can build that into your summer maintenance plan so we can get these streets on liquid fuels. Mr. Glab stated he's thinking of one street that just needs a cul-de-sac put in at the end. Ms. Evans stated you have to formally adopt the streets at a meeting.

Mr. Taday stated Monday or Tuesday they are going to start changing out our street lights to LED. They should be here a week to two weeks and it should be done.

RECOGNITION OF CITIZENS

JIM MADDIEX

He thanked council for reappointing him to the Planning Commission. He stated the Planning Commission will have their first meeting Jan. 3rd and that will be their reorganization meeting. He stated when you talk about the Zoning Hearing Board not advertising their schedule that didn't ring true. If you only have one meeting you would save money but if you have more than one meeting than you would have to advertise it and that would be more expensive. The attorney responded every time you have a hearing you have to follow the guidelines and advertise each one individually. Mr. Maddiex wished everyone a Merry Christmas and Happy New Year.

CONTINUED MEETING

Mr. Alfano stated we will continue this meeting until Dec. 19, 2016 at 6:00 pm and we will go into executive session now and report on it at the Continued meeting.