

## **Regular Meeting of California Borough Council, February 11, 2020**

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

**ATTENDANCE:** Mr. Alfano, Mr. Bittner, Mr. Difilippo Mr. Glab, Mrs. Gutosky, Mr. Maddiex, and Mr. Beckinger,

**ABSENCE:** Mayor Stetar, Mr. Mariscotti but joined the meeting at 6:45

**MOMENT OF SILENCE** – President Alfano asked for everyone to pray for the Sheehan family in the passing of Chief Tim Sheehan

### **PLEDGE OF ALLEGIANCE**

#### **ADDITIONS/CHANGES TO THE AGENDA**

Mrs. Gutosky added D & B invoice - \$1,824.00

Mrs. Gutosky added Siana Law invoice - \$198.00

Dr. Martin added AED's

Solicitor added to new business appoint an officer in charge and an executive session for OIC

Mr. Maddiex added demolition of 81 Highland Dr.

President Alfano stated the agenda stands as printed and amended.

### **PUBLIC COMMENTS**

No comments at this time

### **MINUTES**

Motion by Gutosky/Maddiex to approve the minutes of the regular meeting of January 14,2021 carried with all members present stating aye.

### **TREASURER'S REPORT**

Ms. Evans read the accounts payable and bank balances as of January 31, 2021

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

### **PRESIDENTS REPORT – MR. ALFANO**

#### **MID MON VALLEY TRANSIT AUTHORITY LOCAL MATCH RESOLUTION**

President Alfano stated it is time to approve our commitment to the MMVTA for 2021.

Motion by Maddiex/Bittner to approve the MMVTA Resolution approving the local match for 2021 at \$5,469.00 duly carried on a roll call vote with all members present voting yes except Mrs. Gutosky who voted no.

#### **MMVTA REQUEST TO EXTEND BUS SHELTER AGREEMENT**

Motion by Maddiex/Bittner to extend the bus shelter agreement with MMVTA duly carried on a roll call vote with all members present voting yes except Mrs. Gutosky who voted no.

President Alfano stated he received a letter from the Tax Collector that she will not be running for this position so it will be open.

President Alfano stated he emailed a paper to council for a procedure for the Recreation Authority for instances where people want to donate money or benches to be placed down at Rotary Park. Mr. Agrafiotis stated he and Dr. Martin asked about the installation and who will be doing that. Mr. Agrafiotis asked if the Borough crew installs all the benches throughout town. Mr. Bittner stated yes but those benches were installed and purchased by the Borough. Mr. Agrafiotis stated how can we insure that whoever installs them will do it correctly. Mr. Alfano stated he trust the Street Crew would install them correctly. Mr. Agrafiotis stated if the road crew will be doing it he doesn't see a problem with it.

**Mr. Mariscotti joined the meeting.**

## **BOROUGH ADMINISTRATOR – DR. MARTIN**

### **PURCHASE AED'S**

Dr. Martin stated the Chief and he had several conversations for the need of AED's and he would like to see one placed in the main borough building and one in the police department as well as 4 in the police vehicles. Dr. Martin stated he is asking for a motion to purchase 6 defibrillators at a cost not to exceed \$7,500.00. Mr. Maddiex asked if there should be one in the sewer plant. Dr. Martin stated you don't have public coming in and out of there. Mr. Maddiex stated what about the employees. Mr. Tuday stated he thinks it would be good to have one down there and all employees should be trained on it. Dr. Martin stated this would be paid from Act 13 monies. Mrs. Gutosky stated at the last meeting there was a question concerning the union having issues with the training portion. Dr. Martin stated he thinks it would just need a short meeting and discussion and doesn't see there being an issue with it.

Motion by Maddiex/Bittner to purchase 7 AED's at a cost not to exceed \$8,500.00 to be paid from the Act 13 fund duly carried on a roll call vote with all members present voting yes except Mr. Mariscotti who had stepped out of the meeting.

### **PAVILLION PROJECT – RICHARD KAUFMAN**

Mr. Kaufman reviewed the 5 plan options available for the pavilion project with council. He stated two of the alternatives are 50' by 100' pavilions which is essentially the entire area of your lot. He stated we have two alternatives that are 50' by 84' pavilions which again use almost the entire lot width. He stated the fifth one is 40' by 84' which is not his first option. He stated he provided an alternative matrix and in that matrix everything is laid out, we even graded out the retaining wall, what would be needed and there is a large retaining wall needed for option 1 which has a 14% slope for access to the back and it also has a loading zone. Number 2 is a 50 x 100 and it has a 10% slope and it does have rear access but no loading zone. He stated then we have the 50 x 84's with a 9% slope. He stated when he's talking about slopes he does not recommend 14% it's a little steep. He stated the retaining wall is one of the biggest concerns he has. He stated as far as engineers and contractors are concerned if you try and put a wall on top of what is there they are going to have to deep until they get the solid material and that will cost you a lot of additional money. He stated also it would sandwich everything in you wouldn't have an open feel at all. He stated the largest pavilion may get you a little more seating. He stated option 5 has no retaining walls because the embankment can be cut back and you could sit on the Western side where the sun would be setting and it would have a more open feel. He stated going through this you can see the prices. The prices for the 50 x 100 pavilions were provided by the manufacturer in writing. The other prices were given to him verbally. He asked if council has any questions. Mr. Maddiex asked the life period of the wall. Mr. Kaufman stated the only issue would have with a concrete wall is effervescence cleaning it, having to coat it and that is it. He stated he expects in 10 years you'll have to do something with it. But the biggest issue would be with the adjoining neighbor and you have a 1 to 1 slope coming right down from the bottom of their foundation. Mrs. Gutosky stated we need to stay clear of both neighboring properties and stay on the safe side. If a contractor is going to do this they have to install temporary shoring and that could cost as much as the wall is. Mrs. Gutosky stated she would like a plan that is a safe distance from neighboring properties and still has an open feel. Mr. Kaufman stated that would be plan option #5. Dr. Martin asked if Mr. Kaufman is recommending option #5. Mr. Kaufman stated absolutely that is his recommendation. He stated you could fit picnic tables and the stage. Mr. Alfano stated there is no loading zone with that one. Mr. Kaufman stated correct but if we wanted to put in a loading zone we will be back into the retaining wall issue. Dr. Martin stated the Mayor was concerned about having access to the rear of the property to be able to move speakers, equipment on to the stage without having to go through the length of the building. Mr. Bittner asked Dr. Martin how much money we have for this project. Dr. Martin stated we have two CDBG grants and each one is a \$190,000.00 +.

Motion by Gutosky/Maddiex to select option #5 on the pavilion project. After some discussion Mrs. Gutosky and Mr. Maddiex withdrew their motion and council decided to take some more time to decide which option works best after they have a chance to look at the site with markings of pavilion on it.

## **ROTARY FLAG PROGRAM – MR. VANDERLAAN**

Mr. Vanderlaan stated he is not looking for donations from the borough but just permission to have the street department drill small holes in the sidewalks along Third St. and part of Wood St. curbside so that the Rotarians can place flag poles on federal holidays.

Dr. Martin stated he sent via email council a map of where the flagpoles would be located. Mr. Vanderlaan stated the solid red holes are the ones we'd like to have drilled now and that is about 56. He stated the open circles are where there are black lamp posts and if we would get sufficient funding in the future we could expand to those locations. He stated the green marking are for on Third Street to the University from Wood to the alley but there are no lamp posts so we could not follow the flag rules there unless there would be lamp posts installed. Mr. Glab asked if they would do around the circle on Liberty St. Mr. Vanderlaan stated no it is not part of this plan but it is not out of the question for sometime in the future. He stated he has a draft letter encouraging citizens and businesses to promote this program so we can expand it.

Motion by Difilippo/Maddiex to approve the Rotary flag program with the street crew drilling the holes at locations specified by the Rotary duly carried on a roll call vote with all members present voting yes.

## **PUBLIC HOUSING – MR. MADDIEX DEMOLITION OF 81 HIGHLAND DRIVE**

Mr. Tудay stated he doesn't expect the cost to exceed \$6,8000.00 to demolish the property. The street crew would do the work and that price includes machine rental for a week and roll off rental and dump costs. He is estimating approximately 10 dumpsters. Ms. Evans asked if we definitely have the home owners approval to do this. Mr. Garlowich stated yes we have written authorization. Mr. Difilippo stated he doesn't think our road dept. should be doing this. He thinks they could do the work but doesn't feel they should be put in that situation. Ms. Evans asked if we should confirm with the insurance that they would be covered. Mr. Mariscotti feels it is in the scope of what we are authorized to do. Ms. Evans stated road maintenance isn't really demolition of structures. Mr. Bittner stated Donora tore down a school and Charleroi has torn down certain buildings using their street crews but he thinks Tom should check the legality of it. Mr. Glab stated when he was working in Donora the borough crew demolished several commercial buildings right on McKean Avenue.

Motion by Maddiex/Glab to have the street department demolish the property at 81 Highland Drive at a cost not to exceed \$9,000.00 contingent on the Solicitor and scope of our insurance duly carried on a roll call vote with all members present voting yes except Mr. Difilippo who voted no.

Mr. Maddiex asked how are we doing on the ending of our 2020 rentals. Mr. Garlowich stated he has some pending court cases but we are pretty much done. Mr. Maddiex stated he would like to get started on 2021 rental season and would like a preliminary meeting to work on the letter so we can get started next month.

Mr. Maddiex stated we are adopting Ordinance 573 tonight and it was advertised in the paper but when he looked on the website under pending ordinances it was blank. This ordinance was not there so we are missing on the website. Mr. Agrafiotis stated we did this same exact ordinance 5 months ago. Mr. Maddiex stated it is a different ordinance number and should be on the website letting people know we are going to be passing one.

## **PUBLIC WORKS – MR. BITTNER TRAINING AT FIRE DEPT.**

Mr. Bittner stated he moves we pay the employees that attended the Traffic Safety training this past Monday at the Fire Hall, that we pay them their hours that they attended that meeting.

Motion by Bittner/Maddiex to pay the employees that attended the Traffic Safety training their hours for attending duly carried on a roll call vote with all members present voting yes.

## **UPDATES**

Mr. Bittner stated we just got a fresh load of salt in the other day. Mr. Tудay stated all the equipment is up to snuff. Mr. Bittner thanked the Street dept for keeping the streets clean of snow.

**PUBLIC SAFETY- MR. DIFILIPPO  
PATROLS IN THE BOROUGH**

Mr. Difilippo stated the Washington County Sheriff's dept. requested to patrol our borough tonight so our officers don't have to patrol until the morning shift.

**84 SIGN SHOP INVOICE**

Motion by Difilippo/Maddiex to pay 84 Sign invoice for K9 decals in the amount of \$21.50 duly carried on a roll call vote with all members present voting yes.

**DUES TO WASHINGTON REGIONAL SWAT TEAM - \$2,000.00**

Motion by Difilippo/Maddiex to pay the SWAT dues in the amount of \$2,000.00 duly carried on a roll call vote with all members present voting yes.

Mr. Alfano asked which two officers is this for. Mr. Bittner stated McCarthy and Short.

**FINANCE – MRS. GUTOSKY**

**MONTHLY BILLS**

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

**SIANA LAW INVOICE**

Motion by Gutosky/Bittner to pay Siana Law invoice #85624 in the amount of \$198.00 duly carried on a roll call vote with all members present voting yes.

**D & B ENVIROMENTAL INVOICE -1-21**

Motion by Gutosky/Difilippo to pay D & B Invoice in the amount of \$1,824.00 duly carried on a roll call vote with all members present voting yes.

**PUBLIC HEALTH- MR. MARISCOTTI**

Mr. Eby will provide us with updates under his report.

**COMMUNITY DEVELOPMENT – MR. GLAB**

Noting to report

**JUNIOR COUNCIL MEMBER – MR. BECKINGER**

Mr. Beckinger stated the boys basketball team is quarantined due to covid-19 exposure but they will begin again next week. He stated the girls basketball team's season has been canceled. The track season is being postponed until next week. The ABC 123 tutoring club which is our high school students go down and tutor the elementary students. Monday there will be a meeting as to whether we will have a musical this year or not and if we do it will be the Adams Family.

**MAYOR'S REPORT – DR. STETAR**

**TWO RADIOS FOR NEW POLICE VEHICLES**

Motion by Difilippo/Maddiex to purchase to new radios for police vehicles from Motorola at a cost for both of \$5,911.62 duly carried on a roll call vote with all members present voting yes.

**SWIFT REACH INVOICE DATED 3-12-2020 - \$2,650.00**

Mr. Difilippo stated he is not sure what this one is. He stated it is subscription fee for \$2,650.00 and runs April 1 through March 31 2021. Ms. Evans stated we had discussed this during budget time this is for the push notifications for the meetings and such and he didn't think it was worth the money. Mayor Stetar stated during budget time he is waiting for a bill but had not received it. Mr. Glab stated Mayor Stetar indicated that he was waiting on a bill but did not want to renew it. Mr. Mariscotti stated it looks like a past due invoice and the second page looks like it is from a collection agency.

Motion by Bittner/Difilippo to pay this invoice contingent on Mayor's approval duly carried on a roll call vote with all members present voting yes.

## **ENGINEERS REPORT – MR. EBY**

### **UPDATES**

Mr. Eby stated the only thing he has done this month was have the two owners of the company come out to find that bore. He said there were officials from the Department of Energy and all kinds of equipment. Now it is a challenge that everyone wants to locate this bore. He stated he talked to Mr. Britton and he doesn't think the bore was completed all together. Mr. Alfano stated he doesn't think it was completed but only half way. Mr. Eby stated as soon as they tell him that they cannot find it he'd like to just get a new permit from the Turnpike and go ahead and get this thing re-installed. He stated it will probably cost between 350 and 380 a foot to get that thing in the ground. Mr. Mariscotti stated that was absolutely completed because we put a scuba diver in there. Mr. Eby stated but we don't know how far he went in. Mr. Glab asked if they tried going in from the other side. Mr. Eby stated it went in on the side we've been working on because there was never a machine taken down on the other side of the turnpike. Mr. Alfano asked how much more time and money are we going to spend on finding this bore. Mr. Eby stated we are not spending any money and you guys approved a contract for appx. \$1,300.00 to find the bore and he's still working under that number. Ms. Evans asked if council ever voted on which project they choose to complete yet. Mr. Eby stated not yet. Mr. Eby stated if we want to save the money and let them keep looking and find it for us if not he can design it and we'll have to cross a penndot road there too so there is going to be another bore there. He said we can get that section done and then design the rest of it and get this thing rolling. Mr. Alfano asked council if they want to make a motion to authorize Steve to prepare a bid package for us. Mr. Eby stated it's going to take him at least a month or two to get the permits from Penndot and the Turnpike commission then you can authorize the bid package. Mrs. Gutosky asked what do we do in the meantime. Mr. Eby stated he'll let the DEP and the contractor that we told to find it to continue and they got 30 days to do it.

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

### **ORDINANCE #573 EXTENDING COVID-19 REGULATIONS**

Mr. Agrafiotis stated this ordinance extends our covid regulations that expired at the end of January until such time the department of health rescinds their declaration was in last Thursday's paper and is up for consideration.

Motion by Maddiex/Gutosky to adopt Ordinance 573 duly carried on a roll call vote with all members present voting yes.

### **ORDINANCE #574 DYE TEST ORDINANCE**

Mr. Agrafiotis stated at last month's meeting he provided to council a draft of Ordinance 574 which amended the dye test ordinance in accordance with what council was looking to have done. He asked if everyone's looked at it and are they all satisfied with it? We can go ahead and advertise it for adoption at the next meeting.

Motion by Difilippo/Mariscotti to authorize advertising Ordinance #574 for adoption at next month's meeting duly carried on a roll call vote with all members present voting yes.

## **USE OF POLICE FORCE**

Mr. Agrafiotis stated a couple of months ago Siana Law approached us and indicated there are some new regulations that the department of Justice coming forward that any municipalities use of force provisions would have to be amended as it relates to use of airway and carotid restraint holds and that had to be submitted by January 31<sup>st</sup>. Chris Gerber provided to the Chief and myself with that language and the Chief inserted it into our use of force policy and submitted it to the Department of Justice by the deadline of January 31<sup>st</sup> we just need the borough to approve the revised use of force policy.

Motion by Mariscotti/Difilippo to approve the revised Use of Force policy carried on a roll call vote with all members present voting yes.

## **OLD BUSINESS**

No old business at this time

## **NEW BUSINESS**

No new business at this time

## **RECOGNITION OF CITIZENS**

### **MRS. ROTH**

Mrs. Roth provided updates on the progress of the Recreation Authority she stated they have an Easter Egg Hunt on their radar all pending COVID. If they can't safely do that we're hoping to do something similar to last year such as the Easter Bunny on the fire truck. She stated Riverfest is also on their radar as well and again it is pending COVID.

### **CHRISTINE KINDER**

Ms. Kinder expressed on behalf of herself and the University their deepest condolences to the Borough family and the police force and was sorry to hear about the Chief's passing. She stated there are students back in town and back on campus. She stated about 50% of the classes are being offered in person although the students have the option to take the class via remote learning if they choose to do so. She stated there are about 435 students in the resident's halls and another 460 up at Vulcan Village and a very active testing going on. We are testing all of our student athletes and they are a significant portion of those students who are in residence this semester. She stated they are also doing surveillance testing on the general population which would be commuter students, folks who live nearby as well the employees. She stated the results of these tests are on the website.

## **EXECUTIVE SESSION**

Council went into executive session at 7:45 and reconvened at 8:00 pm

Motion by Difilippo/Mariscotti to appoint Officer Thomas McCarthy as Officer in Charge until the time we hire a new Chief duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Mariscotti to begin a search for Chief of Police including advertising duly carried on a roll call vote with all members present voting yes.

Mr. Bittner stated we had to do this tonight for procedure but asked that no search or discussions begin until after Chief Sheehan is laid to rest out of respect. Mr. Bittner stated he thinks if any employee wishes to go to the service close their offices and let them go.

## **ADJOURNMENT**

Motion by Maddiex/Difilippo to adjourn carried with all members present stating aye.