

MINUTES
FORD CITY BOROUGH COUNCIL
REGULAR MEETING
LOCATION – FORD CITY PUBLIC LIBRARY
JANUARY 11, 2010

CALL TO ORDER Council President John Lux called the meeting to order at 6:03 p.m. and advised the audience that the meeting will be audio and video taped.

Lux then asked if anyone was audio or video taping the meeting. There was no response.

Lux then requested everyone to please place their phones on vibrate and stated if you must answer, step out of the meeting.

PLEDGE OF ALLEGIANCE

Lux led the pledge of allegiance.

ANNOUNCEMENTS

Lux read the announcements and introduced the (3) three new councilman. (attachment)

ROLL CALL

Ron Dillard, Lou Vergari, Paul Harmon, John Lux, Ray Klukan, Rob Mohney, and Mayor Mantini were present.

ATTENDANCE

Solicitor Frank Wolfe, David Nichols - Borough Engineer, Jennifer Willyard, Eugene Banks, Jerry Miklos, and Chris Zionkowski were also present.

POLICE REPORT

The December 2009 Police Report was read by Mayor Mantini. (Attachment)

Klukan made a motion to accept the Police Report for December 2009. Seconded by Harmon. Motion Carried. 6-0 Unanimous

Klukan made a motion to appoint David Gahagan as a part-time police officer for the normal (12) twelve month probationary period, passing a physical examination, psychological examination, and background check to be performed at the direction of the Officer in Charge and the Mayor and to be paid the current wage of the part-time police officer. Seconded by Vergari. Motion Carried. 6-0 Unanimous

COMMITTEE REPORTS

Dillard read the Water Reports.(Attachment)

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Dillard made a motion to accept the Water Reports. Seconded by Klukan. Motion Carried. 6-0 Unanimous

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Harmon read the November 2009 Treasurer's Report. (Attachment)

Klukan questioned if Holbein invoice for 502 5th Avenue was for a service line. Dillard answered yes.

Klukan also questioned if the Woodside Plumbing invoice for Joe Nation's house was for a service line. Dillard responded Pete Milito must answer this question.

Dillard questions if Schultheis and Rich Miller were paid. The secretary answered yes. Dillard then commented that Rich Miller's \$4400 bill must be ratified.

Dillard made a motion to ratify any amount under \$5000 to Rich Miller for payment of emergency repair to borough building boiler.
Seconded by Klukan. Motion Carried. 6-0 Unanimous

Harmon made a Motion to accept the Treasurer's Report for November 2009. Seconded by Mohny. Motion Carried. 6-0 Unanimous

Harmon made a motion to pay the bills in the amount of \$89,100.11 as approved by the Finance Committee.
Seconded by Klukan. Motion Carried. 6-0 Unanimous

ENGINEER REPORT

Dave Nichols read the Engineer's Report.(attachment)

Mantini questions engineer about replacement/repair of boiler. Mayor wants to make sure all avenues have been explored.

Nichols explains multiple businesses have inspected and a report will be available by the end of the week.

APPOINTMENT SOLICITOR

Vergari questions placing names of solicitor and engineer on the agenda. Vergari explained a motion should be made to appoint these positions. Vergari feels these positions should be advertised and by not advertising it was done improperly.

Mantini questions Vergari about the process because he is a veteran council member.

Vergari made a motion to open the positions of borough solicitor and engineer to the public. Seconded by Dillard.
Roll Call vote. Motion Fails. 2-4

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Dillard: Yes
Vergari: Yes
Harmon: No

Klukan: No
Mohny: No
Lux: No

Mohney made a motion to appoint Frank Wolfe as the Borough Solicitor. Seconded by Klukan. Roll Call vote. Motion Carried. 4-2

Dillard: No	Klukan: Yes
Vergari: No	Mohney: Yes
Harmon: Yes	Lux: Yes

APPOINTMENT ENGINEER

Harmon made a motion to appoint David Nichols - Nichols & Slagle Engineering as the Borough Engineer. Seconded by Mohney. Roll Call vote. Motion Carried. 4-2

Dillard: No	Klukan: Yes
Vergari: No	Mohney: Yes
Harmon: Yes	Lux: Yes

PRESIDENT PRO TEMPORE

Vergari made a motion to appoint Ron Dillard as the President Pro Tempore. Motion fails due to lack of second.

Mohney made a motion to appoint Paul Harmon as the President Pro Tempore. Seconded by Klukan. Motion Carried. Unanimous 6-0

Mantini would like Vergari to contact the PSAB about the proper procedures of appointing positions.

PARLIAMENTARIAN

Klukan made a motion to appoint Solicitor Frank Wolfe as the Parliamentarian. Seconded by Mohney. Motion Carried. 5-1 Dillard votes no.

VACANCY BOARD CHAIRMAN

Mohney made a motion to appoint Ronald Gribik as the Vacancy Board Chairman. Seconded by Klukan. Motion Carried. 5-1 Dillard votes no.

OLD BUSINESS

TAX ANTICIPATION LOAN

Vergari questions if previous tax anticipation loan was paid off. Lux answers yes.

Solicitor Wolfe states that all tax loans must be paid in full by December 31.

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Dillard suggests council make the limit for this year \$125,000.

Vergari suggests to keep it at \$75,000.

Mohney questions Solicitor if another motion would be needed to add any additional money.

Solicitor Wolfe answers yes.

Mantini comments that for the past 20 years the borough borrowed \$150,000. Vergari and Dillard disagree with Mantini.

Mohney made a motion to authorize the Council President and the secretary to sign the Resolution for the Tax Anticipation Loan in the amount of \$75,000.00.

Seconded by Dillard. Motion Carried. 6-0 Unanimous

BOROUGH BUILDING BOILER

Dillard states this has already been covered and action needs to be taken. Dillard comments there is no line item in the budget for this repair and that council must figure out a way to pay for this. Dillard then states that the budget needs to be opened to take care of necessities that were not budgeted for, for example the borough building roof replacement which was an emergency and totaled \$15,000.

Nichols and Harmon state they have both contacted people about fixing the boiler. Nichols stated specifications will be created by end of week.

MCTA

Dillard questions if council is willing to fund MCTA since there is no line item in the budget.

Lux would like to discuss this in executive session.

Dillard explained reporter looked him up to speak with him.

Lux states that he is not available to represent the borough at MCTA meetings due to finance meeting being scheduled for the same day.

Dillard would like all council members to attend the finance meetings on Wednesdays.

Dillard continues to question Lux on the bussing issue.

Lux would like to table this discussion until he can bring Dillard up to speed on the bussing situation.

Dillard questioned Solicitor Wolfe about time frame to open budget.

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Wolfe answers 30 days.

Vergari questions Lux hesitancy to open the budget.

Lux states he does not want taxes raised.

Dillard would like to open budget to discuss finances for boiler.

Lux would like to meet with the finance committee before he discusses opening the budget. States the finance committee will meet on Wednesday.

Dillard would like to know about the budget by 1-20-2010.

Lux comments that the budget was not opened in 2008 when newly elected council came into office.

Vergari questioned that and could not understand why budget would not have been opened.

NEW BUSINESS

BOROUGH ASSOCIATION DINNER

Klukan made a motion to grant permission to any Council Member, Mayor Mantini, and the Borough Secretary to attend the Borough's Association Meeting on Thursday, January 28, 2010 at a cost of \$20.00 per person. Seconded by Harmon. Motion Carried. Unanimous 6-0

MEETING DATES - 2010

Klukan made a motion to ratify the advertisement of the council meeting dates for 2010. Seconded by Mohny. Motion Carried. Unanimous 6-0

CHRIST PRINCE OF PEACE PARISH

Dillard made a motion to grant permission to Christ Prince of Peace Parish for their annual Rally for Life to be held on Saturday, January 23, 2010 between 1:45 p.m. and 2:00 p.m. and inform the Police Department and Fire Department. Seconded by Klukan. Motion Carried. Unanimous 6-0

PLANNING COMMISSION

Harmon made a motion to appoint Thomas Shaffer to the Planning Commission. Seconded by Mohny.

Dillard questions if there were interviews. Lux answers no.

Dillard made a motion to table the appointments until individuals are properly interviewed.

Seconded by Klukan. Motion Carried. Unanimous 6-0

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No motion was made to appoint Tim Bennett to the Planning Commission.

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SPECIAL COUNSEL

Dillard made a motion to authorize Council President Lux to contact and schedule interviews for the position of Special Counsel for the purpose of personnel negotiations.

Seconded by Klukan. Motion Carried. Unanimous 6-0

SUMMER HELP

Dillard requested council to start considering hiring summer help. States last year there was no summer help and workers were stretched thin.

Dillard made a motion to hire summer help for May - August 2010.

Mohney asked for this to be tabled and to be discussed.

Dillard states that last year the borough supervisor had to cut grass instead of supervising his workers. He also comments about the supervisor retiring 12-06-2010 and that a replacement should be training at this point. He feels these and a lot of other issues were not addressed in the budget.

Dillard agrees to table his motion.

BUILDING #228

Vergari questions why borough would want to subdivide property.

Wolfe states that a buyer is interested in purchasing property. Ford City borough would remain owner of controversial part of property.

Vergari states this must be bid.

Wolfe states that property must be surveyed, appraised, and phase studies must be done to determine environmental issues.

Dillard would like Nichols to work with any engineer on the project. He states the DEP will be watching the borough to make sure we have all our ducks in a row.

Mohney made a motion to authorize Solicitor Wolfe to proceed with the sub division of the property known as "Building #228" including contacting a surveyor.

Seconded by Klukan. Motion Carried. Unanimous 6-0

DEPUTY TAX COLLECTOR

Dillard made a motion to approve the appointments of Frances P. Prazenica & Thomas C. Burk as Deputy Tax Collectors as per the request of Allyssa M. Burk, Ford City Borough Tax Collector, on the condition that the Tax Collector complies with all conditions concerning the appointment of a Deputy Tax Collector and further secures any other approvals that may be necessary.

Seconded by Klukan. Motion Carried. Unanimous 6-0

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Dillard made a motion to table Resolution Request.
Seconded by Mohny. Motion Carried. Unanimous 6-0

OPEN 2010 BUDGET

Dillard made a motion to table opening the 2010 budget due to unforeseen expenses until the finance committee meets to review budget.
Seconded by Vergari. Motion Carried. Unanimous 6-0

BOROUGH COMMITTEE REPORTING

Dillard states that he would like each committee to report to council so citizens are more informed. He would like committee quarterly reports to be staggered.

Dillard made a motion to allow the borough secretary to contact and schedule committees for quarterly reports.
Seconded by Vergari. Motion Carried. Unanimous 6-0

CITIZEN COMMENTS

Jennifer Willyard - Concerned Citizen

Would like to know where borough stands on creating an ordinance regarding residency restrictions dealing with sexual predators living in the community.

Wolfe states that after reviewing the material given to him by Ms. Willyard, there isn't much the borough can do. Hands are tied due to federal rulings. Borough is only responsible to put a link on website. Wolfe feels that the only thing left for her to do is approach state legislature.

Willyard questions if Wolfe has contacted other solicitors to inquire how other boroughs are making laws.

Wolfe clearly states borough can not do anything to restrict a persons movement.

Willyard comments that a retired state trooper would be willing to hold a lecture for community. Would like to find funding for this program.

Lux will contact Rep. Jeff Pyle about legislature and funding.

SOLICITOR COMMENTS

Wolfe states that he is sorry there is nothing he could do about issue regarding creating an ordinance for residency restrictions dealing with sexual predators living in the community.

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Mantini urges citizens to keep sidewalks clean, police will be issuing citations. Wished new members of council luck.

COUNCIL COMMENTS

Dillard - No comment.

Vergari - Honored to be on council.

Harmon - Thanks

Klukan - Thanks

Mohney - Suggested neighbors assist their senior neighbors in keeping sidewalks clean.

Lux - Thanks for coming and be aware there have been several garage break ins. Call police if see anything suspicious.

ADJOURNMENT Klukan made a motion to adjourn the meeting at 7:40 p.m.
Seconded by Mohney. Motion Carried 6-0 Unanimous

John M. Lux, Sr.
Council President

Lisa Bittner
Borough Secretary

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