

**MINUTES
FORD CITY BOROUGH COUNCIL
SPECIAL MEETING
LOCATION - FORD CITY BOROUGH OFFICE
JANUARY 15, 2004**

CALL TO ORDER Council President Steve Kozuch called the meeting to order at 5:00 p.m.

ROLL CALL Terry Tokarek, Homer Pendleton, Steve Kozuch, John Rudosky, Tim Malec, and Dan Cousins

ATTENDANCE Fred Dzugan - Codes Officer, Greg Dinko - Emergency Management Coordinator and Solicitor Wolfe.

CITIZEN COMMENTS
No comments at this time.

AUDITOR 2003 Pendleton explained there would be a benefit to the Borough by using Joseph P. Soloski as the auditor for the year 2003. Soloski would be able to complete the audit so the DCED report deadline of March 31, 2004 could be met.

A discussion took place concerning changing the fee structure and including the adjustments in a new letter. Pendleton will contact Mr. Soloski.

Rudosky made a motion to appoint the firm of Joseph P. Soloski, CPA as the auditor for the Borough of Ford City for the 2003 calendar year at the price of \$14,250.00 and the terms of payment to be agreed upon between Mr. Soloski and council, so long as all statutory deadlines are complied with by the auditor. Seconded by Pendleton. Motion Carried. Unanimous 6-0

TAX ANTICIPATION LOAN

Solicitor Wolfe explained a proposal from S & T Bank is need along with the promissory note which must include the note is due and payable by 12-31-2004.

Pendleton stated the Indebtedness Loan will be used to pay off the Tax Anticipation Loan. Pendleton explained the amount of \$150,000 has already been approved by S & T Bank.

Malec asked if any other lenders have been contacted about the Tax Anticipation Loan and/or the Indebtedness Loan? Pendleton answered no.

A discussion took place concerning other lenders. Kozuch stated if anyone would like to contact other lenders about the indebtedness loan they may.

Malec made a motion to apply for \$150,000 Tax Anticipation Loan to be paid immediately with every dollar of the Real Estate Revenue received .50 (fifty cents) must be earmarked to pay back the loan. Seconded by Rudosky. Motion Carried. 6-0 Unanimous

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LIBRARY REFERENDUM

Pendleton asked that a referendum be placed on the Spring Ballot, deadline is 2-28-2004, to allow the voters to decide on placing a tax on the Real Estate to support the Ford City Public Library.

Rudosky asked what a Non-Ford City Resident pays for a membership to the library? Pendleton answered \$15.00 per year per person.

A discussion took place concerning recommending to the Library Board increasing the membership fee.

Cousins asked how much funding was lost by the library this year? The Secretary will contact the Library Board.

Rudosky suggested obtaining a list of questions from Cousins.

Cousins made a motion to table the Library Referendum Question. Seconded by Tokarek. Motion Carried. Unanimous 6-0

Rudosky made a motion that any questions be submitted by 4 p.m on Tuesday, January 20, 2004 and that the library board be given the questions. Seconded by Pendleton. Motion Carried. Unanimous 6-0

COUNCIL COMMITTEES

Council President Kozuch submitted his list of council committee appointments. Kozuch explained these appointments could be discussed with him at a later time if needed. (List Attached.)

INTERNATIONAL BUILDING CODES

Fred Dzugan explained Council must decide whether to opt in or opt out of the PUCC. The BOCA Codes will no longer exist. This will become effective around 8-7-2004. Labor & Industry will notify the Borough when the actual date will be. The BOCA Codes are becoming the IBC [International Building Codes] and must adopt the UCC [Uniform Construction Code] .

Dzugan explained if any community does not adopt this program they will no longer be able to do any inspections or reports. Dzugan stated the ability to obtain Federal Grants may also be affected. Also, the community is still responsible to make their citizen aware that proper inspections still must be completed.

Dzugan explained a three (3) year period begins after 8-7-2004 where Dzugan/or any other person must have all the proper certifications or he will not be permitted to do any inspections. Dzugan has all the required certifications at this time.

Dzugan recommended adopting the 2003 UCC now.

Cousins asked if there will be any change in the existing cost for the Codes Officer? Dzugan answered no.

Cousins asked why do an Ordinance now?

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Dzugan explained drawings must be prepared for the Shop 2 Building and the requirements for the sprinkler system are different between the BOCA and the UCC.

Cousins asked, referring to Residential Construction, if five (5) inspections must be completed? Dzugan answered, 1. Footer/Foundation, 2. Electrical, 3. Plumbing, 4. HVAC, and 5. Final Inspection.

A discussion followed.

Dzugan explained Residential Work does not required signed blue prints. However, Labor & Industry does require signed and sealed blue print for Commercial Work.

Dzugan explained between 4-9-2004 and 7-8-2004 is the period of time a decision must be made, either to opt in or opt out.

Solicitor Wolfe explained there is not much choice. Either adopt the code or do not have a code. Solicitor Wolfe explained the Borough has adopted a Building Code prior to adopting the BOCA Code.

Dzugan explained under the new code a Board of Appeals must be developed. Reason being if the Codes Officer stops a job the contract must be give a means to appeal the decision of the Codes Officer. 1. Engineer in certain fields, 2. Contractor, 3. Architectural Engineer, 4. Electrical Engineer, 5. or Contractors.

Dzugan stated Armstrong Area Cog is building a Board of Appeals. Kozuch stated the Borough may want to benefit from this board.

Dzugan asked that a Deputy Codes Officer be appointed. It would be wise to have a backup Codes Officer.

Cousins asked if the Borough is implementing this now for the sake of one job and as a result burdening the citizens earlier than 8-7-2004?

Kozuch answered definitely not. Every Borough must make a choice either to opt in or opt out. By adopting it now there will be a benefit the community in developing now. Lower mortgages and loan amounts will result because the costs of the Sprinkler Systems can be charged to the new tenants.

Dzugan explained the fee structure is the same and it is less restrictive than the BOCA Codes. Because of the definition of minor repairs and accessory structures under 500 sq. ft.

Pendleton made a motion to advertise an ordinance to adopt the UCC [Uniform Construction Code] and authorize Solicitor Wolfe to review and prepare the ordinance to be advertised. Seconded by Tokarek. Motion Carried. 5-1

Cousins votes no because it shouldn't be adopted until absolutely required and it is causing an undue burden to the citizens of town because it is more restrictive and we are adopting it for one specific job.

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ZONING MEETING Dzugan informed council members the Zoning Board will be working on the Bloomsburg Ordinance tonight.

CODE SYS.CODE CONSULTING, INC.

Dzugan explained he also works for a company named Code Sys. His employment with him allows him to come and go all day long and he is a part time employee.

BLOOMSBURG ORDINANCE

Kozuch explained the Bloomsburg Ordinance that was mentioned at the Public Meeting by Mayor Pyle was not ready for review by others. Kozuch stated he was informed by Ron Dillard - Zoning Member the document was prematurely distributed.

LANDLORD ANNUAL FEE

Dzugan stated he would like council to implement an annual Landlord Fee. Kozuch asked Dzugan to work on such Ordinance.

THEFT OF WATER Malec asked Dzugan if he had been notified about of the theft of water on the 900 Block of 5th Avenue. Dzugan explained he and the Chief of Police have spoken about this and they are waiting for information from the Billing n Clerk.

PARKING Malec asked who is responsible for the illegal parking between the curb and sidewalk. Dzugan explained this is a police issue.

BOROUGH ASSOCIATION

Pendleton made a motion to grant permission to the Secretary to attend the Borough's Association meeting on Thursday, January 22, 2004. Seconded by Cousins. Motion Carried. Unanimous 6-0

SOLICITOR COMMENTS

Solicitor Wolfe had no comments at this time.

COUNCIL COMMENTS

Tokarek stated that local resident Rock Mantini has not been contacted about the repair of the John. B. Ford Statue. Cousins stated to obtain a bid from Mantini.

Cousins stated to if Mantini is willing to prepare a bid, please get one.

Tokarek will contact Mantini.

Solicitor Wolfe explained what estimates the Borough has, they should be given to the Borough's Insurance Co. - The Wolfe Agency. The Secretary is to delivered the information prepared by Mayor Pyle to the Wolfe Agency.

Tokarek explained he spoke to Rob Watt - Watt Agency and he would be willing to quote on the Borough's Insurance, but he would need wage information. Kozuch

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asked Tokarek to speak to Rudosky about insurance since Rudosky is working on some insurance policies.

Tokarek asked if a meeting could be set up with Cloonan? Kozuch stated Cloonan should be asked to attend the 2-2-2004 meeting to update the citizens.

Pendleton had no comments at this time.

Malec had no comments at this time.

Cousins stated if anyone is holding up the agreement, it is probably us. Solicitor Wolfe stated he will have items ready this weekend and the deadline is during February 2004. Cousins stated if the Borough is prepared then invite Cloonan to the meeting. If we are not prepared he should not attend.

Rudosky explained he will be meeting with Janice Hansen, our insurance broker, tomorrow if anyone would like to attend, please let him know.

Rudosky reminded everyone there will be negotiations with the Union on 1-20-2004 at 6:00 p.m.

Rudosky thanked Solicitor Wolfe for his work on the Cloonan documents. Rudosky explained Wolfe is in the process of rewriting the entire package because of the nature of the documents that were presented.

Kozuch agreed with Rudosky's comments concerning the Cloonan documents. Kozuch stated he did not intend to place Cloonan on the spot during the televised February meeting. Kozuch explained the televised meeting is the perfect way to update the citizens.

EXECUTIVE SESSION

Pendleton made a motion to enter Executive Session. Seconded by Executive Session entered at 6:40 p.m.

REGULAR SESSION Regular Session was re-entered at 7:15 p.m.

POLICE GRIEVANCE

Rudosky made a motion to make the following offer to the police bargaining union to resolve the grievance filed on behalf of Officer Mark Brice on October 1, 2003. Seconded by Terry Tokarek.

The offer is outlined as follows:

1. This settlement shall be non-precedent setting on either party.
2. The Borough does not admit any wrongdoing nor can any inference of wrongdoing by the Borough be made by entering into this settlement agreement.
3. By accepting the terms of this settlement, the Bargaining Unit withdraws the grievance on behalf of the grievant, Mark A. Brice.
4. Effective immediately upon the execution of this agreement and in the following pay

period, Mark A. Brice shall be paid \$14.90 per hour. This figure is the proper base pay plus longevity entitled him for calendar year 2004.

5. Mark A. Brice shall be paid a total sum of \$6,572.80 (Six thousand five hundred seventy two dollars and eighty cents) in four equal installments of \$1,643.20 (One thousand six hundred forty three dollars and twenty cents) less the proper deducted taxes. These payments shall commence on the first regular payday in March 2004. The second such payment will be made on the first regular payday in June 2004. The third such payment shall be made on the first regular payday of September 2004 and the final payment shall be made on the final regular payday of December 2004.

Motion Carried. Unanimous 6-0

POLICE WAGES Rudosky made a motion to send a letter to Officer Ronald Klingensmith informing him that he has been overpaid in the amount of \$4.14 because of his request to be paid for seven hours of work at his 2004 pay rate although his shift started in 2003. Furthermore, the Borough Council has authorized the proper officials to deduct the above amount of pay from Officer Klingensmith's paycheck if the above reimbursement is not made by Officer Klingensmith on or before January 26, 2004. Seconded by Malec Motion Carried. Unanimous. 6-0

ADJOURNMENT Pendleton made a motion to adjourn. Seconded by Tokarek. Motion Carried. Unanimous 6-0 Meeting adjourned at 7:18 p.m.

Lisa Bittner
Borough Secretary