

**MINUTES
FORD CITY BOROUGH COUNCIL
REGULAR MEETING
LOCATION - FORD CITY PUBLIC LIBRARY
APRIL 5, 2004**

- CALL TO ORDER** Council President Steve Kozuch called the meeting to order at 6:00 p.m.
- AUDIO TAPED** Council President Kozuch informed everyone the meeting is being audio and video taped.
- PLEDGE OF ALLEGIANCE**
Council President Kozuch led everyone in reciting the Pledge of Allegiance.
- ANNOUNCEMENTS** Council President Kozuch read a list of announcements. (Attached)
- ROLL CALL** Terry Tokarek, Homer Pendleton, Steve Kozuch, and John Rudosky. Tim Malec and Dan Cousins were absent because of their full time job obligations.
- ATTENDANCE** Mayor Pyle, Dave Nichols - N.S.E.I., Kim Petrie - G.F.C.C.D.C., Fred Dzugan - Ford City Codes Officer, Gene Banks & Marc Mantini - Ford City Planning Commission, Ron Dillard - Ford City Zoning, and Solicitor Frank Allan Wolfe.

UNIFORM CONSTRUCTION CODE

Fred Dzugan - Ford City Codes Officer explained the Uniform Construction Code must be adopted by ordinance and public hearings must take place. The state must be notified between April 9, 2004 and July 8, 2004. Dzugan explained he attended a seminar and it was suggested the fees associated with the UCC Ordinance be adopted by resolution.

Dzugan explained he placed in each council box a copy of the Property Maintenance Code. The PMC deals with existing buildings. This code may be adopted along with the UCC. The UCC covers new construction. Rudosky asked Dzugan prepare a summary of the PMC for the next regular council meeting to be held on Monday, May 3, 2004.

Dzugan explained that he learned in a meeting any community that chooses not to adopt the Uniform Construction Code may not be able to obtain any federal grants.

Dzugan explained that for every permit written the state will collect \$2.00. A system must be created to keep this data. The fees must be submitted every quarter.

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Rich Kraft - Olsen Hill Engineering, displayed a drawing of the site plan for the Plant # 2 area. This plan includes 150 parking spaces, landscaping, storm water conveyance, sanitary system, water system, and everything within five feet of the building. This plan does not require any approvals for the buildings. They will be done on a tenant by tenant basis.

Gene Banks - Planning Commission, asked if any provisions regarding special fencing, could be made for tenants who are vendors for the government. David Hill - Olsen Hill Engineering, answered there is no schedule yet and explained each tenant will develop their own security system.

Council President Kozuch explained these types questions could be answered by the Zoning Ordinance. Kozuch instructed the Secretary to contact Olsen Hill and schedule a special meeting to further discuss this site plan.

MINUTES

Rudosky made a motion to accept the minutes of 3-1-2004. Seconded by Tokarek. Motion Carried. 5-0 Councilman Cousins abstains because he was absent from this meeting.

CITIZEN COMMENTS

Grace Charney, Natalie Vergari, Tina Miller, and Lou Vergari - Ford City Public Library Board Members asked everyone to vote yes to the library referendum question on the ballot. Your yes vote will financially support the library. This will increase the taxes of each household by less than \$20.00.

Al Garay asked when hedge clipping will be picked up. Pendleton answered just place out with your regular garbage.

Mr. Garay asked where he is supposed to park his vehicle and explained he received a ticket because he parked in the Cypress Avenue? Council President Kozuch explained the police are doing their job. A discussion followed.

Mayor Pyle stated Ordinance 474 is an antiquated ordinance and later in the meeting he will be asking council to repeal this ordinance.

Council President Kozuch suggested Mr. Garay contact Mayor Pyle.

Mr. Garay asked why tires are continuing to be stored on a property near his home. Mayor Pyle will instruct the police to take a look at this area.

Terry McGinnis thanked T & J Floral for removing the yellow ribbons from the trees in the park.

McGinnis asked when the pot holes in the alley behind Rite-Aid will be filled. Councilman Cousins explained the pot holes will be discussed later in the meeting.

McGinnis asked if the park trees had been looked at. Councilman Tokarek answered that he did take a look at the trees in the park and still needs further review.

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McGinnis asked when will the Christmas Decorations be removed. Council President Kozuch answered the Borough has a limited staff and has been kept very busy with water breaks and other tasks.

McGinnis explained he has observed junk in yards. Council President Kozuch explained if such observations are made and a citizen feels it is a hazard, the next

step to take is to contact the Ford City Police Chief.

McGinnis stated he has observed rats entering Tony C's. Council President Kozuch explained this should be reported to the codes officer. The office staff will pass along this information to Fred Dzugan the Ford City Codes Officer.

McGinnis explained the curb on the corner of 4th Avenue & 9th Street by the Parkview Apartments needs repaired. Council President Kozuch explained he will ask the Street Department to take a look at the corner.

McGinnis stated the parking meters seem to be full and asked when will they be emptied. Councilman Pendleton answered they are emptied on a regular basis.

McGinnis asked, since he passed away, will the handicap parking sign used by Jack Hrabovsky be removed. Councilman Rudosky answered all handicap signs may be used by anyone with a proper handicap placard.

Marc Mantini explained he is the Ford City Borough representative to the M.C.T.A. Board. Mantini stated he supplied the borough with copies of the minutes for the M.C.T.A. meeting.

Mantini asked if anything may be done to recoup money spent on the recent hostage situation. Solicitor Wolfe explained he is unable to answer at this time and if council would like him to review it, he will look into the matter. Council President Kozuch stated explained Solicitor Wolfe could research this matter. Solicitor Wolfe stated there are two aspects to this answer, does the Borough have a right to collect any money and the second do they have any money to collect. Wolfe stated in most of these instances the people have no assets.

Mantini asked if Ford Street will be done this year. Pendleton answered some of the money is available and hopefully something will be started.

Mantini asked if something is happening with the John B. Ford Statue. Mayor Pyle answered no comment at this time because it is a pending case.

Ron Gribik asked if there were any plans to repair the voids underneath the ground specifically located at 600 Block of 4th Avenue? Malec answered underneath the town is sand and gravel. When the river is high it washes out. Dave Nichols - N.S.E.I. explained there was a study done two years ago and at that time there were not any imminent failures. Kozuch explained this will be a good project for the Greater Ford City Community Development .

Gribik asked if the borough still owned a paver. Pendleton answered yes.

Gribik asked if there will be a Trash Day this year. Council President Kozuch answered trash day is needed in the community. However, finances must be looked at before anything is organized.

Cousins made a motion to ask Dave Nichols - N.S.E.I. to investigate the sink hole on the east side of 4th Avenue on the 600 Block at the north end and report his

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findings to council. Seconded by Rudosky. Motion Carried. 6-0 Unanimous

POLICE REPORT

Rudosky made a motion to accept the Police Report for March 2004. Seconded by Pendleton. (Report Attached)

Cousins asked if a reading of the police report could take place because it has always been read in the past.

Mayor Pyle explained total fines collected for the month of March 2004 are in the amount of \$2,076.00. Mayor Pyle reads the Mayor's Report for April 2004. (Report Attached)

Mayor Pyle asked for council to consider repealing Ordinance 474 because it is outdated. Council President Kozuch this should be discussed before any action is taken.

Council President Kozuch explained there is a motion and a second on the floor to accept the Police Report. Motion Carried. 6-0 Unanimous.

WATER REPORT

Council President Kozuch explained the water reports are available in the Borough Office. (Reports attached)

Rudosky made a motion to accept the water reports. Seconded by Malec. Motion Carried. Unanimous 6-0

TREASURER'S REPORT

Pendleton read the Treasurer's report for February 2004. Total Borough funds are in the amount of \$258,939.56. Pendleton explained the bills to approve are in the amount of \$57,663.09. (Reports Attached)

Rudosky made a motion to accept the Treasurer's Report for the month of February 2004 and pay the bills as money becomes available as approved by the Finance Committee. Seconded by Pendleton. Motion Carried. Unanimous 6-0

ENGINEER REPORT

Dave Nichols - N.S.E.I. submitted updated drawings for the Ford Street Project. These drawings will be delivered to the CDC. (Engineer Report Attached)

Nichols met with representatives from Dominion Peoples and they have agreed the gas line between 4th Avenue & 5th Avenue should be replaced. The latest Ford Street Design drawings have been sent to the gas company.

OLD BUSINESS

SEXUAL HARASSMENT POLICY

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Solicitor Wolfe explained this policy requires name of a person that a complaint will be filed with and also the name of a person to investigate. Solicitor Wolfe explained the policy has been expanded to include elected and appointed Borough Officials, not just Borough Employees.

Cousins asked what if the person doing the harassing is the Council President.

A discussion followed.

Rudosky made a motion to appoint the current Council President the person to contact when filing a sexual harassment complaint unless the complaint is against the Council President in which case the complaint shall be filed with the Mayor and adopt the sexual harassment policy. (Policy Attached)

Seconded by Cousins. Motion Carried. 6-0 Unanimous

NEW BUSINESS

GAZEBO REQUEST Cousins made a motion to approve the request of Alice Miller for use of the Gazebo on Saturday, July 16, 2005 from 1:00 p.m. until 4:00 p.m. and the request of Susan Kiffer for use of the Gazebo on Saturday, June 25, 2005 from 3:00 p.m. until 5:00 p.m. Seconded by Pendleton. Motion Carried. 6-0 Unanimous

COMMUNITY ACTION

Pendleton made a motion to reply to the request of Armstrong County Community Action that Ford City Borough will participate in the Summer Lunch Program. Seconded by Malec. Motion Carried. 6-0 Unanimous

STREET SWEEPING 2004

Malec made a motion to accept the 2004 Street Sweeping Schedule prepared by Pete Milito and advertise in a large block ad in the Leader-Times. [April 15, 22, 29 - May 6, 13, 20, 27 - June 3, 10, 17, 24 - July 8, 15, 22, 29 - Aug. 5, 12, 19, 26 - Sept. 2, 9, 16, 23, 30 - Oct. 7, 14, 21, 28 - Nov. 4, 18 - Dec. 2, 9].

Seconded by Cousins. Motion Carried. 6-0 Unanimous

LUNCHEON WITH SENATOR DON WHITE

Cousins made a motion to approve the attendance of John Rudosky and Homer Pendleton at the luncheon with Senator Don White on Thursday, April 1, 2004 at a cost of \$12.00 per member.

Seconded by Tokarek. Motion Carried. 6-0 Unanimous

STATE WIDE BUILDING CODE

Rudosky made a motion to approve Dan Cousins and Fred Dzugan attendance at the seminar for the State Wide Building Code on Wednesday, March 31, 2004 at Saxonburg Borough at a cost of \$50.00 per person and to approve mileage reimbursement. Anyone attending must coordinate a car pool to reduce expenses.

Seconded by Malec. Motion Carried. 6-0 Unanimous

PSAB PROFESSIONAL DEVELOPMENT SEMINAR

Cousins made a motion to approve any council member and the Borough Secretary to attend the PSAB Development Seminar on Wednesday, May 5, 2004. Anyone attending must coordinate a car pool to reduce expenses.

Seconded by Rudosky. Motion Carried. 6-0 Unanimous

HANDICAP SIGNS

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Rudosky made a motion to accept the recommendation of the Handicap Committee to approve Handicap Parking Signs for Rudolph Cippel - 631 6th Avenue, Mary Gribik - 716 6th Avenue, and Anne Peters - 1139 7th Avenue.

Seconded by Cousins. Motion Carried. 6-0 Unanimous

SUMMER HELP

Cousins made a motion to advertise for Summer Help and Playground Supervisors. Seconded by Rudosky. Motion Carried. 6-0 Unanimous

PATCHING

Pendleton explained he met with a representative from Penndot and determined the amount of 130 tons of patching should be used to repair the pot holes on the streets of the Borough. This is 5 (five) tons more than last year. Pendleton explained bids for the patching could be advertised and the Borough doesn't have to accept the bids received.

A discussion followed.

Malec stated just patching the holes is throwing money away. Malec explained he would like to have the Borough fix the pot holes instead of hiring an outside company.

The discussion took place.

Cousins made a motion to authorize advertisement for bids for patching materials and installation of patching material for pot hole patching in Ford City Borough, areas to be designated by Borough Representatives. Council must be informed of the pot holes that will be fixed.

Seconded by Tokarek. Motion Carried. 5-1 Malec is opposed.

BOY SCOUT TROOP 670

Cousins made a motion to grant permission to the Boy Scout Troop 670 to park a trailer on Borough Property located at 3rd Avenue & 14th Street as long as the trailer is movable. Seconded by Pendleton. Motion Carried. 6-0

FILTER BED - CHANGE MEDIA

Pendleton explained maintenance on one of the filter beds should be done this year. Pendleton explained he has a bid from one company to complete the work.

A discussion took place.

Cousins made a motion to solicit additional quotes for replacement of the filter bed from at least two other vendors.

Seconded by Rudosky. Motion Carried. 6-0 Unanimous

PDP - PLANNED DEVELOPMENT PARK

Ron Dillard - Zoning Board, explained the PDP pertains to the former PPG Property located along 2nd Avenue. The next step is to adopt the PDP as an ordinance.

A discussion took place.

Rudosky makes a motion to advertise the PDP as an amendment to the Zoning Ordinance and advertise a notice of a Public Hearing.

Seconded Pendleton. Motion Carried. 5-1 Cousins is opposed.

Cousins makes a motion to return the \$25.00 mandatory donation, to Jill Edwards, for use of the Gazebo on Saturday, April 17, 2004 because she will not be using

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the Gazebo.

Kozuch explained at this time council does not have procedure in place to address this type of question. Kozuch explained council should give this some thought on how to handle this type of question in the future.

Seconded by Tokarek. Motion Carried. 6-0 Unanimous

CAR WASH

Rudosky made a motion to approve the request of the Ford City Cheerleader Booster Club for two car washes to be held on June 26 and August 28, 2004 at the 3rd Avenue fire hydrant location near the Borough Garage.

Seconded by Tokarek. Motion Carried. 6-0 Unanimous

ARMSTRONG CO. RECREATION GRANT RESOLUTION

Pendleton explains the recreation grant requires a resolution. A discussion took place. Ferndale must be added to the resolution. (Resolution Attached)

Pendleton made a motion to authorize the Council President to sign the resolution but amend the resolution to include Ferndale Park.

Seconded by Cousins. Motion Carried. 6-0 Unanimous

LEADER-TIMES

Tokarek explained he has been asked about the Leader-Times paper boxes placed about town. Tokarek explained they are attached to stop signs and electric poles. Tokarek asked is this permissible? Solicitor Wolfe explained permission is generally granted by the municipality. Kozuch asked that a list be prepared where the new boxes are located and what they are attached to.

FORD CITY LIONS

Rudosky made a motion to grant permission to the request of the Ford City Lions Club to use the siren for their annual Memorial Eve. Service.

Seconded by Cousins. Motion Carried. 6-0 Unanimous

Malec explained wire must be run from the park to the borough building.

FCHS GRAND MARCH - GAZEBO

Rudosky made a motion to grant permission to Ford City High School to use the Gazebo on Friday, May 21, 2004 beginning at 7:30 a.m. for the Prom Grand March and permission to block of 4th Avenue between 8th Street and 9th Street so the cars may be lined up. In the event of rain - then 4th Avenue from 11th Street to 12th Street will be blocked off. Seconded by Cousins. Motion Carried. 6-0 Unanimous

FCHS - GRADUATION

Pendleton made a motion to grant permission to Ford City High School to block off 4th Avenue from 11th Street to 12th Street for Graduation on Thursday, June 9, 2004 beginning at 8:00 a.m. Seconded by Rudosky. Motion Carried. 6-0 Unanimous

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Mayor Pyle stated this 100th graduating class of Ford City High School.

Cousins made a motion to grant permission to Big Brothers Big Sisters to plant flowers, where ever there is a need, along the Walking Trail.

Seconded by Rudosky. Motion Carried. 6-0 Unanimous

MEMORANDUM OF UNDERSTANDING 2001, 2002, 2003, & 2004

Rudosky explains this is placing in writing what previous councils have agreed to with reference to the police employment agreement. Rudosky explains at this time there is not a signed agreement. A signed agreement is needed so that an addendum to the police agreement may be completed.

Rudosky made a motion to accept the Memorandum of Understanding 2001, 2002, 2003, & 2004. Seconded by Pendleton. Motion Carried. 6-0 Unanimous (Memorandum Attached)

POLICE - ADDENDUM

Rudosky explains that a 25% reduction in the police force will be happening and this agreement will allow the borough to hire a part-time police officer while the full time officer is on active military duty.

Cousins asked what happens with the years of service

Solicitor Wolfe explains the employee must be treated as if he were here the entire time, the years of military service counts toward his years of service with the Borough.

Rudosky makes a motion to accept the addendum to the police agreement. Seconded by Cousins. Motion Carried. 6-0 Unanimous. (Addendum Attached)

CHAMBER CLAM BAKE

Pendleton makes a motion to approve any council members' attendance at the 17th Annual Government & Chamber Clam Bake on Thursday, April 22, 2004 at the River Forest Country Club at a cost of \$20.00 per person and approve mileage reimbursement. Anyone attending must coordinate a car pool to reduce expenses. Seconded by Tokarek. Motion Carried. 6-0 Unanimous

ORPHANS OF THE STORM

Pendleton makes a motion to pay \$350.00 to the Orphans of the Storm as per their request. Seconded by Cousins. Motion Carried. 6-0 Unanimous

EMERGENCY MANAGEMENT

Pendleton makes a motion to reimburse Greg Dinko for meals at the state reimbursement rate while attending a training conference on April 24 & April 25 at Penn State Erie titled "Disasters and Terrorism - Ten Years Later" Seconded by Rudosky. Motion Carried. 6-0 Unanimous

HOME TOWN TROOP SIGN

Rudosky makes a motion to purchase four (4) Home Town Troop Signs from US Municipal at a cost of \$51.85 each and to pay the invoice from money in the Borough's Community Development Account. Seconded by Cousins. Motion Carried. 6-0 Unanimous

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SUMMER BASKETBALL LEAGUE

Tokarek made a motion to grant permission to Ryan Simmons and Steven Smolen use of the Bolder Park basketball court for a Sunday basketball league named after Bill "Preach" Hoffman. Seconded by Rudosky. Motion Carried. 6-0 Unanimous

APOLLO ECONOMIC REDEVELOPMENT

Rudosky made a motion to grant permission to any council member wishing to attend the Apollo Economic Redevelopment dinner to be held on Saturday, April 17, 2004. and approve mileage reimbursement. Anyone attending must coordinate a car pool to reduce expenses.
Seconded by Cousins. Motion Carried. 6-0 Unanimous

SOLICITOR COMMENTS

Solicitor Wolfe explained Ford City Borough has received money from Dominion Peoples for damages done to Borough roads.

Solicitor Wolfe explained the unfunded debt was approved by the Armstrong County Court. Wolfe stated the next step in the process is to prepare an ordinance which requires approval from D.C.E.D.

Solicitor Wolfe asked for an Executive Session tonight.

MAYOR COMMENTS Mayor Pyle asked council to place Ordinance 474 on their next agenda for discussion.

Mayor Pyle reminded everyone to vote on Tuesday, April 26, 2004.

Council President asked the Mayor to obtain from his department alternatives to Ordinance 474.

COUNCIL COMMENTS

Cousins commended the police for their handling of the hostage situation. Cousins thanked Councilman Malec for his efforts with the gas company they paid off for the Borough.

Malec reminded everyone the Lions Easter Egg Hunt will be held on Saturday, April 10, 2004 at 1:00 p.m. and there are over 3500 eggs.

Rudosky commends the Ford City Police Department, Kittanning State Police, the State Police Cert Team, Kittanning Police Department, Ford City Police Department, and Ford City Ambulance Service for their service during the 6th Avenue situation.

Rudosky thanked Councilman Malec for all of his work involving the gas company.

Rudosky thanked Solicitor Wolfe for his work during the court hearing concerning the unfunded debt.

Rudosky thanked the Borough Secretary for her work involving support of our Home Town Troops.

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Pendleton explained an additional phone is needed in the Borough Office along with two headsets. These items would increase the monthly phone bill by \$37.00.

Malec would like a phone system with a conference call. A discussion took place concerning a conference calls and a speaker phone. Pendleton will gather additional information.

Pendleton explained an replacement for an office computer is needed. Council President Kozuch asked Pendleton to contact Mike Sinawski about the additional computer.

Tokarek stated this was a good meeting.

Kozuch stated reinforced the comments made by all members of council.

EXECUTIVE SESSION

Rudosky made a motion to adjourn the meeting and enter executive session to discuss a pending lawsuit. Seconded by Cousins. 6-0 Unanimous Meeting adjourned at 8:56 p.m.

ADJOURNMENT

Rudosky made a motion to adjourn Executive Session and re-enter regular session and adjourn the meeting Seconded by Pendleton. 6-0 Unanimous. Meeting adjourned at 9:16 p.m.

Lisa Bittner
Borough Secretary

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