

**MINUTES
FORD CITY BOROUGH COUNCIL
SPECIAL MEETING
LOCATION - FORD CITY PUBLIC LIBRARY
JUNE 16, 2005**

CALL TO ORDER Council Vice-President Homer Pendleton called the meeting to order at 4:35 p.m.

AUDIO TAPED Council Vice-President Pendleton informed everyone the meeting is being audio taped.

ROLL CALL Terry Tokarek, Homer Pendleton, Tim Malec, John Rudosky, Dan Cousins, and Mayor Lux were present. Council President Steven Kozuch was absent.

ATTENDANCE Solicitor Frank Allan Wolfe and Gregory Dinko - Zoning Board were also present.

CITIZEN COMMENTS Chris Dilick stated that, as a business owner in Ford City, he recently found out that he was responsible for paying a Business Privilege Tax. He stated that he is being charged 80% interest for 6 years. He stated that he would like Council to help him out on the interest charges. Councilman Rudosky stated that Solicitor Wolfe believes that Council has the authority to waive the penalties for this type of cause on a case by case bases. Dilick stated that Central Tax blamed the Borough for not informing him of this tax when he first opened his business. Councilman Rudosky recommended that, to avoid future problems, the Borough include an information sheet about the Business Privilege Tax to be given to new business owners at the time of obtaining water service. He stated that the business owners should sign a form stated that they have been informed of the tax.

Councilman Rudosky made a motion to waive the penalties and interest on Chris Dilick's Business Privilege Tax because there was a question of notice. Solicitor Wolfe stated that he would like to find out the proper procedure first. Motion failed due to lack of a second.

Councilman Rudosky made a motion to add a notice and paperwork when a business starts informing customers of the Business Privilege Tax. Seconded by Cousins. Motion Carried. Unanimous 5-0

BOULDER PARK Councilman Malec stated that he has been informed that Allegheny Power does not do community service anymore because of liability. He stated that Terri Szymanski will be meeting with Stivy's Electric at 6 p.m. today to replace the bulbs at Boulder. Malec stated that the New Life Center will commit \$3,000.00 for Boulder Park. He stated that Mr. Truitt lowered his bid to \$7,500.00 as long as he gets recognition for the project. Malec stated that the Ford City Lion's Club donated \$700.00 to the project. He stated that Dr. Moore donated \$25.00 and an anonymous donation of \$110 was received for Boulder. [Councilman Malec, who is a member of the Ford City Lion's Club, will deposit the money in the Ford City Lion's Account and then write a check to Ford City Borough because Ford City Borough is not permitted to accept cash of any kind.]

Minutes
Special Meeting
6-16-2005
Approved on
8-8-2005

Councilman Rudosky made a motion to rescind the action made on 5-2-2005 on paving Boulder Park. Seconded by Cousins. Motion Carried. Unanimous 5-0

Councilman Rudosky made a motion to accept the Truitt's proposal to complete the work at Boulder Park at a cost not to exceed \$7,500.00, and that any funds received as a donation to Boulder Park shall remain in the Community Development Fund used solely for Boulder

Park for purchase of equipment or programs as Council directs in the future. Seconded by Cousins. Motion Carried. Unanimous 5-0

CODES OFFICER DUTIES

Councilman Cousins stated that the Police Department, who are to enforce high grass, have more important work to do, and that the Codes Enforcement Office could handle minuscule items, such as high grass. Councilman Rudosky stated that the ordinance must be changed to permit the Codes Officer to perform those duties. A discussion took place. This item is to be placed on the agenda for the 7-11-2005 meeting.

VISIBILITY SHIRTS

Councilman Malec made a motion not to buy t-shirts and to require the workers to wear the required safety vests when doing work that may be considered hazardous. A discussion took place. Malec amended his motion not to buy t-shirts and to require the Street Department workers to wear the required safety vests at the direction of Pete Miliito or whoever is in charge of the Street Department. Seconded by Cousins. Motion Carried. Unanimous 5-0

A discussion took place concerning the dress code of the Borough employees. Councilman Malec made a motion that all Borough employees, except for the office staff and playground supervisors, must wear work shoes, long pants, and shirts with sleeves. Rudosky asked that the solicitor review the dress code before the Borough employees are notified. Seconded by Cousins. Motion Carried. Unanimous 5-0

ZONING RESIGNATION

Councilman Cousins made a motion to accept the resignation of Jeff Cogley from the Zoning Board and to advertise for a replacement and have the Council President sign a letter thanking him for his years of service. Seconded by Rudosky. Motion Carried. Unanimous 5-0

PARKING METERS

A discussion took place concerning the parking meters. Councilman Pendleton advised Council to look at the contract so parking meters can be discussed at the 7-11-2005 meeting. Councilman Cousins made a motion to table PARKING METERS. Seconded by Rudosky. Motion Carried. Unanimous 5-0

10-MINUTE BREAK

Councilman Rudosky asked that Council take a 10-minute personal break. Break began at 5:40 p.m.

WATER CUSTOMER

Councilman Rudosky made a motion that the water customer pays the outstanding water bill in full with a \$10 connection fee to the Borough of Ford City by 4 p.m. on June 17, 2005 and that the Borough will waive any penalties and interest to that date and that the customer agreed to sign a document as supplied by Solicitor Wolfe indicating that the acceptance of this agreement has no evidentiary value concerning the issues of the customer's residency as it relates to the new customer service fee. Seconded by Cousins. Motion Carried. Unanimous 5-0

Councilman Rudosky stated that acceptance of this money does not prove or disprove any claims that the Borough may have in regards to the new customer service fee or an occupancy permit fee if they should arise. He asked that Borough Council and the Solicitor review the ordinance.

Councilman Cousins stated that a directive be sent stating that water meters not be given out unless there is a work order.

ARM. CO. COMMUNITY FOUNDATION GRANT

Councilman Rudosky made a motion to apply for a grant from Armstrong County Community Foundation and authorize the Grant Funding Committee to approve the letter of inquiry which is due on Friday, July 1, 2005. Seconded by Cousins. Motion Carried. Unanimous 5-0

IRS MEETING

Borough Secretary Lisa Bittner stated that the IRS Meeting will be held Wednesday, June 22, 2005 at 9 a.m.

NON-CONFLICT OF INTEREST STATEMENT

Councilman Pendleton explained that the CDC requires the statement be signed by Council and CDC members.

COUNCIL COMMENTS

Councilman Rudosky stated that the audit proposal for the CDC came in the amount of \$35,000. He stated that Senator White would initially fund this by paying \$10,000 through the County and he would make up the difference with state grants, but that Senator White does not have access to that money. Rudosky stated that Mr. Pittman asked if the Borough would be willing to fund the audit to be reimbursed at a later date by the Commonwealth. A discussion took place.

Councilman Tokarek made a motion to discuss the proposal with Senator White's office to reimburse the audit money for the CDC to Ford City Borough. Seconded by Cousins. Motion Carried. Unanimous 5-0

Councilman Cousins stated that the plans Council performed tonight is what should have been done years ago. He stated that this year there is a sound plan and the money is in place. Cousins stated that the way Council got to the goal was an embarrassment and that we all should learn a lesson from it.

Councilman Malec stated that he will speak to Larry Gray and Mr. Truitt on the Boulder Park Basketball Court Project to get things moving. He stated that he spoke to Carmen Johnson about the Ford Street Grant. Malec stated that he spoke to Alltel and asked for a bid to bury the Alltel lines on 4th Avenue.

Councilman Tokarek stated that Dave Nichols and the Borough must setup a sewage meeting.

Councilman Malec stated that he would like to bury utility lines on 4th Ave. from 10th St. to 9th St. , Ford St. from 5th to 3rd Ave., and 3rd Ave. to the alley behind Lindeman's and Kling's.

Solicitor Frank Wolfe explained that Rich Palilla stated that they have never gone more than 5 years [LERTA - Local Economic Revitalization Tax Assistance]. Solicitor Wolfe stated that Council needs to meet with Dobson Cellular next week.

Councilman Rudosky asked if construction companies should be charged for parking meters used during construction work. A discussion took place. Councilman Cousins stated that demo permits should address parking and blocking streets.

Councilman Malec explained that he told the new representatives from Dominion People that he is not happy with the restoration job done by KNR. [Ford Street]

Councilman Cousins asked if anything was decided with MTJMA. Solicitor Wolfe stated that he will get everything together at once. Cousins asked if the letter from PennDot stating that they will fix the Main Street ditch had been received. Secretary Bittner stated that she had sent a letter to Keith Duris and has not received anything back from him. She stated that she will send another letter.

Councilman Rudosky stated that Carl Bromley asked the CDC to make copies for his event. Rudosky stated that the CDC will not make copies. Rudosky instructed the Borough Secretary to not make copies for Bromley for a private business.

Councilman Pendleton stated that Police Chief Lysakowski asked if extra part-time police officers may be used during Heritage Days, as he is working on the schedule. Councilman Rudosky stated that the part-time officers are normally used.

Councilman Malec stated that he is not paying for the Street Department to pickup Heritage Days' garbage. Solicitor Wolfe stated it would not be a problem to use one guy to supervise the Heritage Days workers. Malec stated that the same employee who sweeps after the parade can empty the garbage afterward. He stated that one employee can bring the garbage truck to the park and the Heritage Days workers can load the truck. Malec stated that the Borough will pay overtime for one (1) person. [No vote taken.]

Councilman Tokarek stated that borough employees should not be standing around watching the summer help laborers.

ADJOURNMENT

Councilman Tokarek made a motion to adjourn at 7:00 p.m. Seconded by Cousins. Motion Carried. Unanimous 5-0

Lisa Bittner
Borough Secretary