

**MINUTES
FORD CITY BOROUGH COUNCIL
REGULAR MEETING
LOCATION - FORD CITY PUBLIC LIBRARY
JUNE 6, 2005**

- 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 the Pledge of Allegiance.
- ANNOUNCEMENTS Council President Kozuch read a list of announcements. (List Attached) Councilman Cousins stated that the demolition of the old People's Bank will begin soon and advised citizens to try to avoid the area and use caution.
- ROLL CALL Terry Tokarek, Homer Pendleton, John Rudosky, Steve Kozuch, Tim Malec, Dan Cousins, and Mayor Lux were present.
- ATTENDANCE Solicitor Frank Allan Wolfe , Dave Nichols - N.S.E.I., and Eugene Banks - Planning Commission were also in attendance.

FORD STREET PROJECT

Jennifer Bellas, Armstrong County Planning Commission, stated that on June 1, 2005 there was a bid opening for the Ford Street Project. She stated that the Ford City Utility Replacement Project received three bids with the low bidder being Turjan Construction Company. Bellas stated that the Ford Street Improvement Paving Project had two bidders. She stated that unfortunately the project is approximately \$150,000 over-budget. She stated that the awarding of the bids was tabled until this meeting. Bellas stated that the all bids can be rejected and the project rebid or the bid may be awarded. She recommended that the bid not be awarded because the project is under-budget.

Councilman Rudosky asked Bellas if the awarding of the bids could be tabled until additional funding is researched. Bellas stated that bids can be held up to 90 days.

Councilman Rudosky made a motion to table discussion on the bid awarding until subsequent funding to complete the project in its totality is looked into and that the table be no longer than 45 days from today, June 6, 2005. Seconded by Malec. Motion Carried. Unanimous 6-0

Jennifer Bellas asked Council if she should attend the discussions held on the bids. Councilman Rudosky stated that her attendance at the meetings would be valuable.

Bellas stated that the total funds spent of the 2004-2005 PCC Grant is \$18,952.45. The total amount requested to be reimbursed by PCC is \$14,214.34. This amount is the money that the Borough will be getting back. She stated that the Borough must spend \$1,047.55 by the end of the month.

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Councilman Pendleton made a motion to authorize Armstrong County to administer the 2005-2006PCC Grant. Seconded by Rudosky. Motion Carried. Unanimous 6-0

Bellas stated that she needs a copy of the PCC Grant.

Solicitor Wolfe stated that this is the second time the bids were tabled. He stated that the next time an action may be taken on the bids, a notice must be placed in the newspaper at least 5 days beforehand informing the public that it will come up again.

EXECUTIVE SESSION Councilman Rudosky made a motion to enter into a brief Executive Session to discuss personnel issues. Seconded by Cousins. Motion Carried. Unanimous 6-0 Entered into Executive Session at 6:10p.m.

RE-ENTER REGULAR SESSION

Councilman Pendleton made a motion to re-enter into Regular Session. Seconded by Cousins. Motion Carried. Unanimous 6-0 Re-entered into Regular Session at 6:36p.m.

FIRE CHIEF RON WOJCIK

Fire Chief Ron Wojcik stated that the fire hydrant on 9th Street and 5th Avenue is still out of service and has been out of service for at least two months. He stated that this is a very crucial hydrant because it covers a large portion of the Business District. Wojcik stated that if the hydrant is not fixed, it would greatly restrict the fire protection in that area.

Councilman Pendleton stated that available contractors to fix the hydrant (repair water line to valve) cannot be found. Dave Nichols stated that the repair of the hydrant was included in the scope of the Ford Street bid.

Fire Chief Wojcik reiterated that this vital hydrant must be fixed. He stated that he does not want the Fire Department to be blamed if the entire Business District is lost due to this hydrant not being repaired. Wojcik stated that he believes that the whole infrastructure from the heavy trucks traveling on Fifth Avenue is probably the cause of the breakage. He stated that the Safety Committee proposed to have PennDot perform a study for a weight restriction on that highway, but nothing came out of that proposal. Councilman Kozuch asked Secretary Bittner if Council had submitted the letter to PennDot to perform a study on Fifth Avenue. Bittner stated that she does not believe so. Kozuch told Bittner to look into it.

Councilman Pendleton stated that the funds are available to fix the hydrants but no contractors are immediately available. Councilman Malec stated that the contractor would have been set if the bids were awarded on June 1, 2005. Dave Nichols stated that the contractor who repaired four other fire hydrants in town wouldn't be available until July. Councilman Malec stated that this is why the repair of the hydrant was added to the scope of the Ford Street bids.

Citizen Mike Markilinski stated that he will ask other Boroughs what they do in this type of situation.

Mayor Lux asked Wojcik how the Junior Firefighter Program is doing. Wojcik stated that so far they have three junior members and that there are plans for recruitment in the Fall.

Ron Olsen, G.F.C.C.D.C. Engineer, explained that the G.F.C.C.D.C. applied for a grant for

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the Riverside Master Plan which will need a Resolution from Council to adopt the Plan. Councilman Rudosky made a motion to adopt the Resolution dealing with closing out Community Conservation Partnerships Grant Project BRC-TAG-977. Seconded by Malec. Motion Carried. Unanimous 6-0

Olsen stated that he would like to remove his name from the Citizen Comments sheet since his topic, the Ford Street Project, had been discussed. He stated that he would like to review the project specifications, drawings, and bids.

Ron Olsen stated that he met with Sam Kube, KPM - Division of Herkules, who is expecting 6-8 ship containers from their Erie location. He stated that Kube would like to know if Council would have a problem with KPM temporarily storing those containers for up to three months within the northern portion of the vacant former PPG land.

Councilman Pendleton asked the borough engineer if this would be permitted. Dave Nichols, N.S.E.I., stated that KPM using the land would be acceptable as long as they are not on the capped areas.

Councilman Malec made a motion to grant permission to KPM Industries/Sam Kube to store bulk trailers for up to three months on the former Ford City PPG Site with no liability to the Borough and to be coordinated with the Solicitor. Seconded by Tokarek. Motion Carried. Unanimous 6-0

Councilman Rudosky stepped out of the meeting at 7:00p.m.

MINUTES

Councilman Cousins made a motion to accept the minutes of 5-2-2005. Seconded by Pendleton. Motion Carried. Unanimous 5-0

CITIZEN COMMENTS

Mark Szymanski stated that Boulder Park needs renovated. He stated that the blacktop needs resurface, new backboards and netting is needed, along with new court marking, more lighting and refurbishing of old lighting. Szymanski stated that he would like to see water fountains, benches, and additional fencing at Boulder. He submitted a petition with 125 signatures for the Boulder renovations.

Councilman Rudosky re-entered the meeting at 7:02p.m.

A lengthy discussion concerning Boulder Park took place. Councilman Malec stated the bids and specs had been received for Boulder Park.

Councilman Rudosky made a motion to have a special meeting on Thursday, June 16, 2005 to discuss Boulder Park. Seconded by Tokarek. Motion Carried. Unanimous 6-0

Councilman Rudosky stepped out of the meeting at 7:30p.m.

Carl Bromley, President of LOCAL4all.com, stated that he appreciated Mayor Lux's proclamation at the surprise birthday party for Phyllis Liberto Markilinski Sirochman. Bromley spoke on the Ford City Encampment Canoe Trip, which started on May 14, 2005 near Detroit, Michigan.

Councilman Rudosky re-entered the meeting at 7:45p.m.

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Councilman Rudosky asked Solicitor Wolfe if a waiver of liability is needed from those sponsoring the canoe trip. Solicitor Wolfe stated that it would be covered by Borough insurance as long as it is an approved event.

Councilman Rudosky made a motion to grant permission to use Second Avenue, Fort Run Playground, or 7th Avenue Playground as an encampment area on July 4, 2005 and July 5, 2005 subject to providing proof of insurance, cleaning up, and at no cost to the Borough. Seconded by Pendleton. Motion Carried. Unanimous 6-0

Mike Markilinski, Ford City Hose Co. #1, explained a fundraising event the Fire Department would like to hold possibly in September of 2006. He asked Council if the Fire Dept. would be able to hold the event on the old PPG Property and possible use the Allegheny River. Councilman Kozuch stated that there may be a tenant on the property at that time next year. A discussion took place. Councilman Kozuch recommended that Markilinski meet with N.S.E.I., Ron Olsen, the G.F.C.C.D.C., Council and Solicitor Wolfe.

Terry McGinnis stated that vehicles are not obeying the "Yield to Pedestrian" signs on 5th Avenue in front of S&T Bank. He suggested that a traffic light be placed at the intersection of 5th Avenue and Ford Street. Councilman Rudosky stated that McGinnis must report problems/violations to the Police Department. Rudosky stated that PennDot must perform a traffic study before a traffic light may be installed.

Natalie Vergari, Treasurer - Ford City Public Library, stated that in August, a potential position for head librarian will be available. She stated that anyone interested in this position may pick-up an application and a list of qualifications at the library, located at 1136 4th Avenue. Vergari also announced that the Summer Reading Program will be begin next weekend at the library. She stated Grades Kindergarten through 6th will meet Wednesdays from 5-6p.m. and Thursdays from 10:30-11a.m., and that teens will meet Wednesdays from 6-7p.m. She stated that Preschool Story Hour is held Fridays from 1-2p.m.

David Pryde, Owner - Greenbaum's Furniture, stated parking concerns in the Business District during the Ford Street Construction period. He requested that a 2-hour parking maximum be enforced in the Business District during the construction period. Councilman Kozuch recommended that Mayor Lux and the Police Department meet with Mr. Pryde to find a resolution to Pryde's parking concerns. He stated that the Mayor's and Police Department's recommendations will be followed.

Eugene Banks, Chairman - Planning Commission, stated that the Landlord Tenant Act had been resurrected. He asked Mayor Lux his opinion of a Neighborhood Crime Watch in Ford City. Councilman Rudosky stated that Police Chief Jan Lysakowski was the Crime Prevention Officer for the entire County and is a very instrumental person on the ground floor of Crime Watch for the Commonwealth of Pennsylvania. Mayor Lux stated the he and Chief Lysakowski will meet on the topic.

Marc Mantini, MCTA, submitted the MCTA minutes from their last meeting. He stated that the bus usage is up 8%. He stated that Michael Johnson, President of MCTA, has discussed and is looking into a bus to Pittsburgh. Mantini stated at he has reported high grass to the Police Department. Councilman Rudosky stated that the Police Department takes action on high grass issues.

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Greg Kudelka stated that there is a problem with the language being used, noise, traffic, etc. at Kozy Korner. Councilman Rudosky stated that he report the problems to the Mayor and Chief of Police.

POLICE REPORT

Mayor Lux submitted the police report for May 2005. He stated that total fines received were in the amount of \$1,170.00 He stated that the Magistrate and Prothonotary Fines have not been receives as of yet. (Report Attached)

Councilman Cousins made a motion to accept the Police Report for the month of May 2005. Seconded by Rudosky. Motion Carried. Unanimous 6-0

Mayor Lux read a letter of resignation from Officer Ryan Arbaugh. Councilman Cousins made a motion to accept the resignation letter of Ryan Arbaugh and thank him for his service to the Borough. Seconded by Rudosky. Motion Carried. Unanimous 6-0

Mayor Lux stated that there is a 6 inch limit on how high grass may be. He reminded citizens that blowing grass clipping onto the streets and sidewalks is illegal.

WATER REPORT

Council President Kozuch explained the water reports for May 2005 are available in the Borough Office. (Reports attached)

Councilman Cousins made a motion to accept the water reports for May 2005. Seconded by Rudosky. Motion Carried. Unanimous 6-0

TREASURER'S REPORT

Councilman Pendleton read the Treasurer's report for April 2005. (Report Attached) He stated that the total Borough funds are in the amount of \$448,184.69. He stated that total Borough investments are in the amount of \$1,438,278.79. Pendleton explained that the unpaid bill list to approve is in the amount of \$74,888.346.

Councilman Rudosky made a motion to accept the Treasurer's Report for the month of April 2005 and pay the bills as money becomes available and as approved by the Finance Committee. Seconded by Pendleton. Motion Carried. Unanimous 6-0

ENGINEER REPORT

Dave Nichols - N.S.E.I. submitted the Engineer Report. (Report Attached) He stated that the bid tabulations are enclosed in the report. He stated that a letter report on the meeting held on May 9, 2005 with the gas company is also enclosed.

OLD BUSINESS

FORD STREET

A discussion took place under the FORD STREET PROJECT.

DOBSON CELLULAR

Councilman Rudosky made a motion to table Dobson Cellular and the Agreement with MTJMA and to hold a work session be held on Friday, June 10, 2005 to discuss those items. Seconded by Pendleton. Motion Carried. Unanimous 6-0

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PDP
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Council President Kozuch stated that the PDP had already been discussed.

Tabled earlier in the meeting under DOBSON CELLULAR.

STREET OPENING ORDINANCE

Council President Kozuch stated that Councilman Malec would not like to discuss the Street Opening Ordinance at this time.

BOULDER PARK & POST OFFICE

Council President Kozuch stated that Boulder Park had already been discussed and that Councilman Malec does not want to discuss the Post Office at this time.

NEW BUSINESS

PCC GRANT

A discussion took place under FORD STREET PROJECT.

EDEN FORENSIC INSTITUTE

Councilman Rudosky made a motion to approve the attendance of any councilman, Mayor Lux, and the Chief of Police to the presentation given by Eden Forensic Institute on Tuesday, June 7, 2005 from 8am to 10:30am at no cost to the Borough. Seconded by Cousins. Motion Carried. Unanimous 6-0

YMCA

Councilman Rudosky made a motion to grant permission to the Armstrong County YMCA to use Boulder Park for their basketball tournament on Saturday, June 25, 2005 and Sunday, June 26, 2005 and returning Boulder to original condition. Seconded by Pendleton. Motion Carried. Unanimous 6-0

RELAY FOR LIFE

Councilman Cousins made a motion to grant permission to the Ford City Relay for Life to use the parking area next to the Ford City Football Field on Friday, June 17, Saturday, June 18, and Sunday, June 19, 2005 and returning the property to original condition. Seconded by Pendleton. Motion Carried. Unanimous 6-0

PLANNING COMMISSION APPOINTMENT

Councilman Rudosky made a motion to appoint Carol Mikula to the Planning Commission. Seconded by Tokarek. Motion Carried. Unanimous 6-0

SUMMER LABOR

Councilman Malec made a motion to hire Chris Shannon, Jamal Johnson, Brandon Perpich, and Richard Bennett for the 2005 summer labor position, pending passing physical examination. Seconded by Cousins. Tie Vote. 3-3 Councilmen Malec, Cousins, and Kozuch vote in favor. Councilmen Tokarek, Pendleton, and Rudosky vote against. Mayor Lux was asked to break the tie. Lux asked for additional time to review the information before making a decision. Council President Kozuch asked Solicitor Wolfe if he could change his vote from a yes to a no. Solicitor Wolfe replied that a vote cannot be changed once the decision to break the tie has been given to the mayor.

Solicitor Wolfe explained that someone voting in favor of the motion may make a motion to rescind the motion.

Council President Kozuch stepped down as the President and Homer Pendleton, Vice-President, will now run the meeting. Councilman Kozuch made a motion to reconsider the motion to hire four people. Seconded by Tokarek. Motion Carried. 4-2 Councilman Malec and Cousins oppose.

Pendleton stepped down as President and Kozuch resumes as President. Councilman Malec

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made a motion to hire Chris Shannon, Jamal Johnson, Brandon Perpich, and Richard Bennett for the 2005 summer labor position, pending passing physical examination. Seconded by Cousins. Motion Failed. 2-4 Councilmen Malec and Cousins vote in favor. Councilmen Kozuch, Tokarek, Pendleton, and Rudosky vote against.

Councilman Rudosky made a motion to hire Chris Shannon, Jamal Johnson, David Millito, Brandon Perpich, and Richard Bennett for the 2005 summer labor position for a maximum period of 90 day, pending passing physical examination. Seconded by Tokarek. Motion Carried. 4-2 Councilmen Cousins and Malec oppose.

FCHS FIREWORKS Councilman Rudosky made a motion to grant permission to Ford City High School to hold a fireworks display for their commencement ceremony on June 7, 2005 and to authorize the Council president to sign the authorization form, upon submitting proof on insurance. Seconded by Cousins. Motion Carried. Unanimous 6-0

ARMNET Councilman Pendleton made a motion to authorize the Borough Secretary to coordinate a meeting between District Attorney Scott Andressi, Solicitor Wolfe, and Borough Officials, including the Mayor, concerning the ARMNET Team. Seconded by Cousins. Motion Carried. Unanimous 6-0

TAX ABATEMENT ORDINANCE

Councilman Rudosky made a motion to advertise the proposed Ordinance dealing with tax abatements for property tax on certain commercial, industrial, retail, or other business properties as designated by Exhibit "A". Seconded by Pendleton. Motion Carried. Unanimous 6-0

SAFETY COMMITTEE Councilman Rudosky asked that the t-shirt purchase be tabled until the next meeting.

HEPATITIS B VACCINATION

Councilman Pendleton explained the need for employees to have the Hepatitis B vaccination. Councilman Rudosky made a motion to approve the inoculation of Borough employees that need the Hepatitis B vaccination or booster shots. Seconded by Pendleton. Motion Carried. Unanimous 6-0

TRASH DAY Councilman Malec explained the Trash Day issues. He explained that an individual is needed to pick-up metal. Malec stated that Pete Millito suggested obtaining a few dumpsters for large items that cannot be picked up by the garbage truck. Councilman Rudosky stated that Kittanning Borough has a policy regarding rules to follow for trash day and that the Borough Secretary should look into Kittanning's ordinance.

CAR WASH REQUEST Councilman Rudosky made a motion to approve the request of the Ford City Sophomore Class for one car wash to be held on Tuesday, June 7, 2005 from 8:00a.m. until 2:00p.m. at the 3rd Avenue fire hydrant location near the Borough Garage. Seconded by Malec. Motion Carried. Unanimous 6-0

CHOO CHOO TRAIN Councilman Kozuch stated that he is not prepared to discuss this topic at this time.

SOLICITOR COMMENTS Solicitor Wolfe had no comments.

MAYOR COMMENTS Mayor Lux stated that his plan worked because Council talked about Trash Day.

COUNCIL COMMENTS

Councilman Cousins reminded everyone that there is a box to donate items to the soldiers serving overseas located in the Borough Office. He stated that today is D-Day and thanked all the veterans who served in the war. Cousins also thanked the candidates who ran for the Mayor position and congratulated Marc Mantini.

Councilman Malec stated that the gas company will hopefully be done by the end of the week. He stated that a demolition project is going on to demo People's Bank and warned everyone to be careful. Malec stated that there are cracks on the Trail. He stated that he is obtaining a price from a contractor. He stated that Pendleton, Solicitor Wolfe, and he had worked out a settlement with the gas company about 3 years ago. He stated that there is money in Community Development that he needs released to pay contractors when the project is completed.

Councilman Malec made a motion that the Community Development funds be released to pay the contractors repairing the street on 6th Avenue when the project is completed. Seconded by Pendleton. Motion Carried. Unanimous 6-0

Councilman Tokarek thanked the citizens who have taken care of their lawns keeping them well-kept.

Councilman Pendleton explained that an employee who had been hired as a fill-in for the playground position did not attend the mandatory training for the Summer Lunch Program. He asked Solicitor Wolfe what can be done about the situation. Solicitor Wolfe replied that a letter should be sent to her explaining that she has missed her mandatory training and therefore, her offer has been revoked. Pendleton thanked the citizens for observing Memorial Day by turning out their lights during the Memorial Day Service.

Councilman Rudosky stated that on June 7, 2005 Commencement Ceremony will be held at Ford City High School for the 100th graduating class. He stated that the Class of 2005 has asked him to thank Ford City Borough, the Ford City Heritage Days Committee and Ford City Lion's Club for donating money for fireworks. He also thanked the Fire Department and the Police Department, along with Mr. Hrabovsky. Rudosky then thanked the Veterans.

Mayor Lux stated that many street lights were on during the ceremony and that they are continuously on for 24 hours.

Council President Kozuch also thanked the Veterans. He thanked God for giving them the strength to continue serving the community each month. He thanked all those who are serving in the military. He also thanked those who performed the Memorial Day Service.

ADJOURNMENT

Councilman Rudosky made a motion to adjourn. Seconded by Pendleton. Meeting adjourned at 9:23 p.m. Motion Carried. Unanimous 6-0

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Lisa Bittner
Borough Secretary