

**MINUTES
FORD CITY BOROUGH COUNCIL
REGULAR MEETING
LOCATION - FORD CITY PUBLIC LIBRARY
MARCH 7, 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 that 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, John Rudosky, Steve Kozuch, Tim Malec, and Dan Cousins were present.
- ATTENDANCE** Mayor Lux, Dave Nichols - N.S.E.I., Solicitor Frank Allan Wolfe, Bob Shernock - Ford City Borough Union President, Eugene Banks and Mark Mantini - Planning Commission were in attendance.
- MINUTES**
Pendleton made a motion to accept the minutes of 12-20-2004. Seconded by Rudosky. Motion Carried. 5-0 Councilman Malec abstains because he was absent from this meeting due to work.

Rudosky made a motion to accept the minutes of 12-28-2004. Seconded by Pendleton. Motion Carried. 5-0 Councilman Malec abstains because he was absent from this meeting due to work.

Rudosky made a motion to accept the minutes of 1-10-2005. Seconded by Malec. Motion Carried. 6-0 Unanimous

Malec made a motion to accept the minutes of 2-7-2005. Seconded by Cousins. Motion Carried. 5-0 Councilman Rudosky abstains because he was absent from this meeting.

Rudosky made a motion to accept the minutes of 2-18-2005. Seconded by Malec. Motion Carried. 5-0 Councilman Kozuch abstains because he was absent from this meeting.

CITIZEN COMMENTS

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A student from the Ford City High School Musical spoke about the musical, Hello Dolly. Show times will be March 31, April 1, and April 2 at 7:30 p.m. The cost for tickets are \$7.00 and can be purchased at the FCHS office or by calling the FCHS office at 724-763-5289.

Terry McGinnis wished to inform Council that a lady fell by Greenbaum's earlier

this morning. Rudosky asked if a Police Report was filed or if an ambulance had assisted. McGinnis stated that an ambulance had arrived at the scene.

McGinnis asked when the Christmas decorations would be taken down. Bob Shernock answered that a fork lift is needed to take them down.

McGinnis stated that he had reported a hole in the sidewalk by the Highrise at the beginning of the month. He stated that a lady had fell in the hole. Rudosky asked McGinnis if a Police Report had been filed. McGinnis stated that an ambulance had been there.

McGinnis gave the Borough Secretary a letter he had submitted to Representative Pyle and PennDot in Indiana. He has received no response from PennDot as of yet.

McGinnis thanked Council for filling in the hole by the ramp near the Highrise.

Bob Shernock asked if a part-timer would be hired to replace part-timer Steve Scott who has left. He stated that the workers are short-handed now. Kozuch stated that Council should have a meeting with Pete Milito.

Shernock asked if any action was taken on obtaining a new dump truck. He stated that there are three trucks and none can pass inspection.

Shernock stated that he had approached Council approximately 2 years ago about the excess lady working in the Borough Office. He stated that the Borough office has five secretaries. Pendleton stated that this was not the Street Departments concern.

Ron Olsen asked for an update on the Ford Street construction project. Councilman Malec answered that they are reasonably close to bidding out the project. He stated that the County had not received funding yet and that they had recommended not bidding out the project until the funds are available. Malec explained that the project will probably not be started until after Heritage Days.

Ron Olsen asked about replacing the sidewalks on Ford Street. Malec stated that there is no money in the Grant for sidewalks. Olsen stated that Nellie's and ABC Body Balance is willing to split the cost of installing new sidewalks, at least near those businesses.

Ron Olsen asked if there were drawings available for the Ford Street Project. Malec stated that the revised plans are rolled up on the window sill at the Borough office.

Rudosky stated that he appreciated Olsen's concern.

Ron Olsen asked if the Ford Street sign could be installed at the intersection of Fifth Avenue and Ford Street. Pendleton stated that he was made aware of it today and the sign will be installed.

Mayor Lux read the Police Report for February 2005.

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POLICE REPORT

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Rudosky made a motion to accept the Police Report for February 2005. Seconded by Cousins. Motion Carried. 6-0 Unanimous (Report Attached)

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

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

TREASURER'S REPORT

Pendleton read the Treasurer's report for January 2005. He stated that the total Borough funds are in the amount of \$236,950.66. Pendleton explained the bills to approve are in the amount of \$97,556.89. (Reports Attached)

Rudosky stated that he has questions on Invoice #302 for \$112.00 and Invoice #302 for \$155.00 and requested that they be removed until clarified.

Pendleton made a motion to accept the Treasurer's Report for the month of January 2005, except for Invoices #302 for \$112.00 and \$155.00, 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. He stated that he would like to report on the Ford Street Project. Nichols stated that we are waiting for the HUD County Grant Funding/the ARC. After the County has the agreement, a 30-day bid period is required, along with another 30 days for the County to review and approve any contracts. Therefore, there is a 60-90 day window before they can proceed with construction after the agreement is obtained. (Engineer Report Attached)

Councilman Malec stated that he has samples of bricks for the project coming on Friday.

OLD BUSINESS

FORD STREET PROJECT

Kozuch stated that this had been discussed under the agenda heading Engineer Report.

PDP Solicitor Frank Allan Wolfe explained that Council had wished to change the zoning stated on the Planning Development Proposal. He concluded that an engineer will have to survey the land to decide what property is actually located in Ford City Borough.

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Solicitor Wolfe stated that a Public Hearing must be held when amending a Zoning Ordinance. Suggestions from the Zoning and Planning Boards must be given thirty days beforehand at the time of the Hearing. The property will also have to be posted.

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Pendleton made a motion to advertise to amend the Zoning Ordinance.

Rudosky asked Solicitor Wolfe if he could make a motion to table this. Solicitor Wolfe stated that a motion to table something has highest priority. Rudosky stated that he would like time to review the ordinance since he had just received it.

Councilman Cousins asked if the ordinance was advertised, could Council change the acreage at the hearing. Solicitor said they could, but it would have to be re-advertised.

Marc Mantini, member of the Planning Commission, stated that the Planning and Zoning Boards had met many hours on the PDP.

Rudosky stated that he would like Council to do it right the first time.

Pendleton stated that the property needs zoned before a coal tipple ends up on the PPG Property. He stated that the PDP just didn't happen.

Rudosky stated that, although Council had previously received other documents, they had just received the ordinance at 6 p.m. Pendleton stated that the ordinance should have been done last month.

Rudosky asked Solicitor Wolfe what the PDP covers. Solicitor Wolfe stated that it is limited to the PPG Property. Rudosky stated that a coal tipple could not end up on the property unless the Borough sold it to them first. He stated that no councilman would do that.

Kozuch stated that Pendleton's original motion dies due to lack of a second.

Rudosky made a motion to table this until the next meeting of Council. Seconded by Malec. Motion Carried. 5-1 Councilman Pendleton opposes.

NEW BUSINESS

STOP LIGHT LETTER

Pendleton made a motion to send a letter to Penndot requesting a traffic study on 5th Avenue and Ford Street for the possibility of placing a stop light at this intersection. Seconded by Rudosky. Motion Carried. 5-1 Councilman Cousins opposes.

FIRE DEPARTMENT TRAINING

Rudosky made a motion to approve the Ford City Fire Department use of 3rd Avenue from Ford Street to 11th Street for Driver Training on Sunday, April 10, 2005 with the condition of informing the Police Department and Street Department. Seconded by Cousins. Motion Carried. Unanimous 6-0

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CHAMBER LUNCHEON

Pendleton made a motion to approve any Council member, Mayor Lux, and the Borough Secretary to attend the Chamber Luncheon on Friday, March 18, 2005 at a cost of \$10.00 each. Seconded by Rudosky. Motion Carried. Unanimous 6-0

FORT RUN RIGHT OF WAY

Cousins explained that the right of way that had been used for years by Manor Township Joint Municipal Authority had been blocked off by the new property owner. He stated that MTJMA had asked Council for approval for a right of way through Fort Run Playground, but none had been granted. Cousins recommended that Council do not grant that right of way to MTJMA because it would allow vehicles to come within inches of the basketball court and would cause ruts in the playground yard. He would like them to pursue their original right of way from the property owner.

Solicitor Wolfe stated he knew of a letter that Council had sent to MTJMA. Cousins explained that the letter asked MTJMA to stop driving through the playground and informed them that Council was going to block it off.

Solicitor Wolfe stated that the Manor Township Sewage Authority did not have the right of way or the right to lay their lines into the property. He stated that MTJMA had received a right of way about a month ago to lay the lines into the pump station.

Malec stated that Ford City Borough is not in the habit of granting right of ways through their playgrounds and frown on vehicles driving through the playgrounds.

Malec made a motion to instruct Pete Milito to block off the opening in the fence at Fort Run Playground and have representatives of the Borough, including Solicitor Wolfe, to meet with MTJMA. Seconded by Cousins. Motion Carried. Unanimous 6-0

BOROUGH ASSOCIATION DINNER

Rudosky made a motion to approve any Council member, Mayor Lux, and the Borough Secretary to attend the Borough Association meeting on Thursday, March 31, 2005 to be held in Rural Valley at a cost of \$12.00 each. Seconded by Tokarek. Motion Carried. Unanimous 6-0

DIGITAL CAMERA

Councilman Pendleton explained the need for a digital camera to be kept in the Borough Office. It must be signed out by all persons who wish to use it. Pendleton made a motion to purchase a digital camera out of the Community Development Fund with a cost up to \$200.00. Seconded by Cousins. Motion Carried. Unanimous 6-0

STREET OPENING ORDINANCE

Malec made a motion that Council look and work to rewrite the street ordinance to present to Solicitor Wolfe. Seconded by Rudosky. Motion Carried. Unanimous 6-0

PARKING IN FRONT OF S&T BANK

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Solicitor Wolfe explained the amendment to Ordinance #459. He stated that "No Parking" signs must be posted to allow for ticketing of cars that do not follow the ordinance. Rudosky made a motion to advertise the amendment to Ordinance #459 dealing with prohibited parking. Seconded by Malec. Motion Carried. Unanimous 6-0

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BOARD OF HEALTH Rudosky made a motion to appoint JoAnn Scopel to the Board of Health. Seconded by Cousins. Motion Carried. Unanimous 6-0

SOLICITOR COMMENTS

Solicitor Wolfe had no comments.

MAYOR COMMENTS

Mayor Lux stated that all three of the police cruisers are now in working order. He stated that the actual cost to repair the Kiski car was less than the \$510.00 estimate. Lux stated that he had received a letter from the Armstrong County Memorial Hospital Cancer Care Team. They are sponsoring a golf outing to benefit the American Cancer Society Relay For Life on May 23, 2005 at Willowbrook Golf Course in Apollo. The cost per golfer is \$100. Any interested persons should Contact Alan Jones at 724-543-8682 to make reservations.

COUNCIL COMMENTS

Cousins asked if Council had anything to report on the Main Street ditch. Councilman Pendleton stated that he had contacted Keith Duris at PennDot and hasn't received a response yet.

Cousins stated that, again, there is no CDC Report for the month. He stated that he doesn't believe that there has been a CDC Report since Donna Kornasiewicz left. Kozuch stated to send out an email since they had both forgotten to do so from the last Council meeting.

Malec reminded everyone the Lions Easter Egg Hunt will be held on Saturday, March 26, 2005 at 1:00 p.m. Ages are 0-10 years old and everyone is welcome. He stated that there are lots of candy and prizes.

Tokarek commended the Street Department for doing a good job keeping the streets clean during the recent snowfall.

Pendleton would like Council to consider a part-time laborer for the Street Department. He asked them to take a look and see for themselves before they make a judgement. Councilman Pendleton also stated that he had given them a proposal to consider buying a backhoe and dump truck.

Rudosky stated that anyone with a Relay For Life team function to contact Mayor Lux to have it announced at the Council meetings. He asked everyone to attend the Ford City High School Musical. Rudosky wished that Jeff Pyle gets well soon.

President Kozuch corrected the remark made by Bob Shernock earlier in the meeting that stated that there were five secretaries in the Borough office. He stated that there are two secretaries and one part-time worker who helps out when she is not in school. Shernock asked about Mark McLaughlin and Susan Thompson. Kozuch replied that they provide services and are not employees. Shernock stated that they do secretarial work. Kozuch and Pendleton stated that they do not. Rudosky stated that this is not the proper place to discuss personnel issues.

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Kozuch thanked God for the health and hard work of all of the employees and volunteers. He stated that there is another good month ahead along as everyone works together.

EXECUTIVE SESSION

Rudosky made a motion to adjourn the meeting and enter a short executive session. Seconded by Malec. 6-0 Unanimous Meeting adjourned at 7:19 p.m.

RE-ENTER REGULAR SESSION

Rudosky made a motion to adjourn Executive Session and re-enter regular session at 7:43 p.m. Seconded by Pendleton. 6-0 Unanimous. Meeting adjourned at 9:16 p.m.

POLICE EMPLOYMENT AGREEMENT

Rudosky made a motion to adopt the comprehensive Police contract. Seconded by Pendleton. Motion Carried. Unanimous 6-0

Rudosky made a motion to authorize the Council President Kozuch to sign the Police Agreement for 2001-2004. Seconded by Malec. Motion Carried. Unanimous 6-0

Rudosky made a motion to authorize Council President Kozuch to sign the tentative Police Contract for 1-1-2005 to 12-31-2007. Seconded by Tokarek. Motion Carried. Unanimous 6-0

Rudosky stated that Council should not comment on the agreement until the Police have agreed to it. He stated that the agreement is both fair to the citizens of Ford City Borough and the Police Department. He thanked the Police Department for being courteous through negotiations.

Kozuch thanked Rudosky for his leadership in the work he has done on this topic.

ADJOURNMENT

Rudosky made a motion to adjourn the meeting at 7:43 p.m. Seconded by Pendleton. Motion Carried. 6-0 Unanimous

Lisa Bittner
Borough Secretary

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