

**MINUTES**  
**FORD CITY BOROUGH COUNCIL**  
**REGULAR MEETING**  
**LOCATION – FORD CITY PUBLIC LIBRARY**  
**AUGUST 3, 2009**

**CALL TO ORDER** John Lux called the meeting to order at 6:02 pm and advised the audience that the meeting will be audio and video taped.

John Lux asked if anyone in the audience was audio or video taping the meeting? NO

**PLEDGE OF ALLEGIANCE**

Council President Lux led everyone in reciting the Pledge of Allegiance.

**ANNOUNCEMENTS** Council President Lux read a list of prepared announcements. (Attached)

**ROLL CALL** Terry Tokarek, Ray Klukan, Ron Dillard, John Lux, Tim Malec, Tom Shaffer, and Mayor Mantini were present.

**ATTENDANCE** Solicitor Frank Wolfe, Dave Nichols, Mike Markilinski, Jennifer Bellas - Armstrong County Planning Commission, Tom Ondrusek, and Mike Cominos - Principal of FCHS were also present at the meeting.

**CITIZEN COMMENTS - ONLY ON AGENDA ITEMS AT THIS TIME**

Jennifer Bellas from Armstrong County Planning Department talked about 2008-2009 PCC Project expenditures. Total equals \$20,872.15 and total reimbursement equals \$15,654.12. The last submission of invoices from council was on 6-29-09. She asked if there was any additional invoices before she closed it out. The secretary will check and let her know.

Bellas explained the CDBG \$89,000 grant for the water main loop project use for rehabilitation or replacement of dust collector on lime silo at an approximate cost of \$66,000. The County Agreeable to transferring that money for use on that project and the remainder of the funds goes to county 2010 money. This does include engineering costs so the Borough will have to go out for proposals on the project. Bellas will work on the modification to send on to DCED for final approval, start environmental review and co-op agreement, once all items are in place you can get started on the project.

ARC funding was received for Ford Street project and they must have copies of invoices and checks are needed by end of August to close this funding out.

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Mike Cominos - Ford City High School Principal explained Armstrong School District was restructured causing an influx of approximately 120-130 new students at this school. This results in four (4) additional busses reporting to our school. Cominos asks council for permission to line

busses up along 4<sup>th</sup> Avenue and requested that parents do not drop students off on 5<sup>th</sup> Avenue. Must reinforce to students that the proper place to cross the street is at the corner at the crosswalk. Do not cross between busses.

Council President Lux states that the handicap sign on 4<sup>th</sup> Avenue will be removed to allow more space for busses. Lux suggested placing three (3) handicap signs in the parking lot, this will comply with the requirements of the Conditional Use Hearing for the parking lot.

Principal Cominos agrees.

Shaffer reminds the public about parking permits being available through the police department that allow parking along 3<sup>rd</sup> Avenue.

Malec questions whether all of 4<sup>th</sup> Avenue along the school is a fire lane?

Mike Cominos explains that the fire lane is the 5<sup>th</sup> Avenue side of the school.

Shaffer adds that the school bus drivers will not leave the bus and that teachers are on watch.

Cominos explained two to three (2-3) teachers on duty at all time to monitor student.

Shaffer questions if a motion is needed.

Solicitor Wolfe answers no.

Janice Almada explained that at a previous council meeting she dropped a letter off and requested a response and wants a response to the letter.

Solicitor Wolfe states he is unfamiliar with letter and will look at the letter and provide a response, but will keep in mind there is a lawsuit to consider.

Almada states she has nothing to do with lawsuit.

Solicitor Wolfe states that he will respond to her letter.

Janice Almada reiterates her request for a time management study in borough office. She would like to volunteer her time and expertise. The website is behind the times and we need to get our act together and get current.

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Tom Burk passed on his time to speak because he listened to the comments already made by the attorney.

PARKS & RECREATION

Stacy Klukan (Parks and Recreation Committee) Would like to recommend two (2) new members, Bill Oleksak and Steve Heffner.

Fit Trail is coming along but we are going to need a lot of help. There is 80 to 100 man hours of help needed. We need cement. We need donations, we need contractors to donate their time and energy.

We would like to recommend an ordinance that prohibits any painting on the trail without borough permission. We would like to eliminate spray painting of numbers, etc. on the trail. Our site is a prototype for the fit trail, more and more people are going to be coming into the area, there are 20 stations to work out at.

We are going to try to keep communications open with everyone, we are not aware when people use playgrounds, etc... we would like to know what everybody else is doing to make the town more coordinated. We want to make the town more uniform and neat. Request to know when parks are being used.

Council President Lux makes a suggestion of marking off trail

Stacy Klukan does not think it will t work because different groups use different parts of the trail. She wants to color code.

Bill Oleksak states that he wants trail to look good and that right now with all the different markings it does not look good. When approached to join this committee I was told there was no budget, we have a town begging to do things for the town. Softball fields were in really bad shape so we leased them to the league and they really look good. OEM can take care of the crown vetch on the black metal fence along the trail, just place signs to recognize maintenance. The fit trail was paid for by grants. Boxes on trail that hold plastic bags were free, a company donated the scrap wood, the wood shop made them, and the borough workers put them up on posts on the trail. The Borough Office made signs for the trail. The trail is in the best shape it has been in, in years. The garden club, also. Cooperation Works.

Shaffer requested letters from Bill Oleksak and Steve Heffner so they may be formally placed on the Parks and Recreation Committee.

Stacy Klukan also asks to relocate the dumping area by the Borough Garage to the southern end of trail and to move recycling trailers. This would make the appearance of the trail neater and cleaner. The Riverfront trail weeds need trimmed, and please donate plastic bags, and explained the YMCA is no longer using the Softball Fields. Klukan has stated there has been a positive response about playgrounds.

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Tom Shaffer made a motion to approve Bill Oleksak and Steve Heffner to

the Parks & Recreation Committee. Seconded by Malec.  
Motion Carried. Unanimous 6-0

#### BOROUGH GARAGE

Shaffer explained the Borough Building Roof wood is deteriorated, this was discovered by the roofing contractor. It will cost \$1500 for the plywood backing to attach aluminum fascia.

Ron Dillard made a motion to authorize Senate Engineering to issue a change order to add the supports for the eaves and adjust it to facilitate better attachment at a cost of no more than \$1500.

Seconded by Shaffer. Motion Carried. Unanimous 6-0

Mike Malak states a metal roof like that should have a 20-30 year guarantee.

Mike Malak opened and read the bids for building #228. (Attachment)

**POLICE REPORT** Mantini read the police report for July 2009. (Attachment)

Shaffer made a motion to accept the Police Report for July 2009.

Seconded by Klukan. Motion Carried. Unanimous 6-0 (Attachment)

#### COMMITTEE REPORTS

Dillard read the water report. Water Reports are available in the Borough Office. (Attachment)

Dillard made a motion to accept the Water Reports. Seconded by Malec. Motion Carried. Unanimous 6-0

Shaffer read the Treasurer's Report and bill list total. (Attachments)

Shaffer made a motion to accept the Treasurer's Report for June 2009 and pay the bills in the amount of \$86,732.16 as approved by the Finance Committee. Seconded by Klukan. Motion Carried. Unanimous 6-0

Dillard questions Dominion bill for 527 Neale Avenue in the amount of \$1865.97. What process are we using that requires that much expenditure this time of year? Councilman Shaffer will look into it the matter.

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Malec states that there is always someone there.

Shaffer states that the finance committee will look into it and email a response to council before the bill is paid.

Ray Klukan inquires about two invoices from Craig's Tree Service.

Shaffer states that one was a tree that fell onto a property and the other was grass that needed cut and bill will be sent to owner.

Shaffer states that some people refuse to cut the grass and the ordinance officer will get grass cut.

Tokarek questions how charge will be determined.

Shaffer states that a person can call, bid, and determine how much it will cost for us to cut it and make it look decent. The charge will be included in their citation.

## ENGINEER REPORT

Dave Nichols states that the sewage authority received a \$785,000 grant to pay for half of the cost of the sewer separation project in a defined section of the borough. They also have an \$88,000 grant from the CDBG which will be used for lower income houses in the fall of this year. Next round of grants in will become available in 60 days.

Shaffer made a motion to accept the Engineer's Report. Seconded by Klukan. Motion Carried. Unanimous 6-0

Dillard questions when the project will begin?

Nichols answered the fall 2009. We have to close on our Penn-Vest loan. All funding needs to be in place first. The county will be getting group bids, will be a small group bidding, don't want citizens gouged. Homeowners insurance for water and gas service lines is available. Sewage authority will have public information meetings, a mailing will go to citizens who reside in the project area.

## PARKS & RECREATION

Previously discussed in the meeting.

## OLD BUSINESS

### LANDLORD TENANT PUBLIC HEARINGS

minutes

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Shaffer made a motion to advertise two Public Hearings for the purpose of accepting public comment on the Landlord Tenant Ordinance with a Special Council Meeting to follow for the purpose of discussing Finances and any other business the first on Monday, August 24, 2009 at 6:00 p.m. and the second on Monday, September 21, 2009 at 7:00 p.m. Seconded by Dillard. Motion Carried. Unanimous 6-0

Terry Tokarek made a motion to repeal the ordinance until we are done with these public hearings.

Shaffer questions what ordinance is to be repealed?

Tokarek responds the ordinance for the business tax and landlord/tenant.

Original motion made by Shaffer was passed.

Tokarek now wants to make his motion but Solicitor Wolfe explains why you cannot repeal the ordinance without making a motion to advertise to repeal the ordinance because it follows the same rules as an ordinance. To undo you have to follow same procedure, it is also an income generator for the borough, you also have to go back and redo the budget. The budget has to remain balanced. You have to balance with some other way to replace the income.

Mayor Mantini asks Councilman Tokarek why he would want to repeal the landlord/tenant ordinance?

Tokarek states because we can't afford another lawsuit.

Mayor Mantini states that this ordinance has already worked in Kittanning.

Council President Lux explains that they are both talking about different ordinances.

Shaffer would like to wait until we get through our preliminary objections. We need to think about the homeowners. If we take away the business tax we will raise the taxes in this community. This is pending litigation and the borough's position is not to discuss it.

Tokarek states that council has an obligation to discuss and it is not just up to Tom Shaffer.

Lux states that he was told by Solicitor Wolfe not to discuss.

Janice Almada states that she just wants a review of her personal position.

Solicitor Wolfe states that she was told she was exempt.

Janice Almada wants something in writing and has a problem with not being responded to. She doesn't think the ordinance is fair unless it is done across the board equitably.

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Shaffer states that we are not arguing about this at all, there are other remedies out there, let the litigation run its course, let judge rule.

Solicitor states it is not appropriate to discuss because the case is pending.

Tokarek states that ordinance was voted on but fees were set by

Councilman Shaffer. We voted on ordinance and the fees were set later.

Dillard states he feels finance committee is handling this but still must discuss concerns. This still takes a full vote of council. This is too important just to let finance committee decide.

Tokarek states Finance Committee did not present him with budget.

Lux states that he didn't rework budget.

Dillard states that council didn't sit down as a full body and discuss it.

Lux would like to have meetings at borough building to discuss.

Shaffer has requested extra meetings in coming months to discuss the borough financing.

Dillard is fine with extra meetings.

Shaffer states Mr. Nichols will be paid in full and Ford City Borough is paying bills even the bills we were stuck with from previous councils.

Malec states that Mr. Nichols was to be paid when the Ford Street project was completed. The project is done so Nichols should get paid.

Tokarek states that it was not just previous council that hasn't paid bills, this council hasn't paid their bills either (Clearwater Construction).

Shaffer states that previous council didn't inform this council about the money owed to Clearwater Construction.

Tokarek states that we paid \$31,000 instead of \$14,000.

Lux states enough move on with the meeting.

## JOB DESCRIPTIONS

Shaffer states that these are needed by the insurance company . He admits they need expanded and would like other council members to work on also but are needed ASAP. These have been accepted by insurance carrier for the policy.

Dillard states this is preliminary approving with opening up to do a thorough adjustment .

Shaffer explained these are overdue by two years.

Dillard would like to open up for review starting right after this meeting.

Malec states that in the contract there are titles. Did they ask for the other

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ones?

Dillard states they are generic.

Lux states that this is what they needed now.

Shaffer wants to set a date at the next meeting to turn in more detailed job descriptions.

Shaffer made a motion to approve the Job Descriptions for Treasurer, Tax Collector, Secretary, Sanitation Truck Driver, Assistant Secretary, Laborer, Water Treatment Operator, Council, and Mayor. Seconded by Dillard. Motion Carried. Unanimous. 6-0

Dillard made a motion to open job descriptions for review to add any necessary verbiage and to be completed within a 60 day time frame. Seconded by Shaffer. Motion Carried. Unanimous. 6-0

#### ASSISTANT SECRETARY

Tom Shaffer states that the office is very busy. We need another person in the office.

Shaffer made a motion to hire Cassandra Klimkowicz as assistant secretary at the rate of \$12.42 per hour including all benefits provided to a union employee. Seconded by Klukan.

Dillard questions if the position was advertised.

Shaffer states that the full time position was not advertised only the part time permanent position. We don't have to, we are making a part-time employee a full-time employee.

Malec questions if the Finance Committee has worked out the total benefit package. He would like to know what it will cost us in the budget.

Shaffer states that the borough is broke but cannot afford to not have the administrative things.

Dillard expresses that this is wrong, and the young lady has the potential to join union, we can't stop her, if we are getting into a union situation we did not advertise internally or externally. There are legalities involved, we advertise ourselves as an equal opportunity employer yet we did not advertise this position.

Shaffer to Dillard - you don't feel that she has earned this job and is not qualified?

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Dillard states qualifications not an issue, talking about the process.

Shaffer to Solicitor Wolfe - Do you have any legal problems with taking a part-time person and making them a full-time person?

Solicitor Wolfe - No but be a member of the union within 60 days because she is performing union work.

Shaffer stated the mail was double-checked before putting in Councilman Malec's box.

Shaffer made a motion to hire Cassandra Klimkowicz as assistant secretary at the rate of \$12.42 per hour and make it mandatory that she join the union within 60 days to receive all benefits provided to a union employee.

Janice Almada states "we" need somebody to be accountable, a time management study needs done, you need somebody to be accountable, need an office manager.

Discussion about Malec's mailbox.

Malec lists problems of borough: downsize police, vacancy street department, not picking up garbage in 4 days instead of 5, I don't believe we should be adding another person in the office. Cassandra does busy work that is not structured correctly. Most councils and boroughs have an executive secretary that is not in the union. There needs to be a boss in the office, not a councilman.

Mayor Mantini states that there is a dilemma in the office. We need somebody in office, we need three people. We are short handed in office, need chief of police, we operate close to bone.

Shaffer states that you must have a degree to do a time management study.

Dillard states that now we have a temporary employee with no benefits. We are still getting accomplished what we need. What is the end result. She is entitled to all stacking type benefits. Not an easy decision to make.

Shaffer states that if she doesn't work out you can layoff.

Dillard calls for a Roll call vote:

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Terry Tokarek	No	Tim Malec	No
Ron Dillard	No	Tom Shaffer	Yes
John Lux	Yes	Ray Klukan	Yes

Dillard states that Mayor Mantini can't break tie vote.

Solicitor Wolfe reads passage from the Borough Code, tie or split vote, mayor if in attendance may break a tie.

Dillard states that hinges on a vacancy.

Solicitor Wolfe rereads and states that the Mayor is able to vote.

Mayor Mantini votes yes because Klimkowicz worked with Ford Street Project, has an education, and is a resident of the community.

Solicitor Wolfe will provide a written answer on whether mayor is allowed to break tie vote.

**BUILDING #228 - ACCEPTANCE OF REBIDS**

Discussed earlier in the meeting.

**TAPE CHANGE** There was a break in the meeting to change the video tape @ 8:02 p.m.

**ATTENDANCE** Councilman Ray Klukan had to leave at 8:03 p.m..

**AUDIT \$150,000** Malec questions whether it must be audited?  
Shaffer answered yes, all grants must be audited.  
Malec should we go out for bid?  
Shaffer answered no, in the best interest of Ford City Borough, we should use who is most familiar.

Shaffer made a motion to authorize the council president to sign the engagement letter for a required audit of the \$150,000 DCNR Contract #BRCPRD1135 for a fee of \$1,900.00. Seconded by Malec.  
Motion Carried. Unanimous 5-0

**LABORER** Dillard made a motion to advertise, interview and hire laborer within 60 days. Seconded by Shaffer. Motion Carried. Unanimous 5-0

Dillard explained the entry level wage is \$8.00hour.

**NEW BUSINESS**

minutes  
**MARKILINSKI REQUEST**

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Council President Lux reads letter. Lux will set up a committee to discuss with Mayor Mantini. Dillard wants Tokarek and Malec included.

Council President Lux – reads letter.

#### HALL OF FAME REQUEST

Malec made a motion to grant permission to Ada Jean Hoffman to hang the Hall of Fame Banner as requested for their annual dinner to be held on Sunday, September 27, 2009.

Seconded by Dillard. Motion Carried. Unanimous 5-0

#### FORD CITY HIGH SCHOOL

Discussed earlier in the meeting.

#### ADDITIONAL MONTHLY COUNCIL MEETING

Shaffer made a motion to advertise Special Meetings to be held on Monday, October 19 2009 at 5:00, November 16, 2009 at 5:00, and December 21, 2009 at 6:00 p.m. for the purpose of discussing Finances and any other business.

Seconded by Dillard. Motion Carried. Unanimous 5-0

#### PLAYGROUND REQUEST

Malec made a motion to grant permission to Anna Wright to use the 7<sup>th</sup> Avenue Playground on Saturday, August 9, 2009 from 2:00 p.m. until 4:00 p.m.

Seconded by Shaffer. Motion Carried. Unanimous 5-0

Malec made a motion to ratify the use of 7<sup>th</sup> Avenue Playground by Shanna Mechling on Sunday, July 26, 2009.

Seconded by Shaffer. Motion Carried. Unanimous. 5-0

#### TALX

Shaffer made a motion to grant permission to the Council President to sign the Power of Attorney for representation by TALX for unemployment Compensation services.

Seconded by Dillard. Motion Carried. Unanimous. 5-0

#### HANDICAP SIGN REQUEST

Shaffer made a motion to approve the recommendation of the Handicap Committee dated Thursday, July 31, 2008 to approve installing three handicap signs. Seconded by Malec. Motion Carried. Unanimous 5-0

#### JOHN DEERE TRACTOR

Malec made a motion to ratify the purchase of a John Deere Tractor in the amount of \$3080.00 from Walker & Walker Equipment. Seconded by Shaffer. Motion Carried. Unanimous. 5-0

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FORD CITY HOSE CO. #1

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Shaffer made a Motion to approve the request of Ford City Hose Co. #1 to hold an Emergency Vehicle Driver Training Program on Sunday, September 13, 2009 on 3<sup>rd</sup> Avenue from Ford Street to 11<sup>th</sup> Street from 8:00 a.m. until 6:00 p.m. and inform the Street Dept. and the Police Dept.

Seconded by Malec. Motion Carried. Unanimous 4-0

John Lux abstains because he is a member of the Fire Department

#### TOWING SERVICES

Shaffer provided council members with sample ordinances for towing and asked them to review the samples for a possible ordinances.

#### JOHN DEERE - REPAIR

Malec made a motion to ratify the purchase of a John Deere Tractor in the amount of \$3080.00 from Walker & Walker equipment.  
Seconded by Shaffer. Motion Carried. Unanimous 5-0

#### FEDERAL BROADBAND GRANT

Shaffer made a motion to authorize the council president to sign a letter of support as requested by Armstrong County to be included in their Federal Broadband Grant Application.  
Seconded by Dillard. Motion Carried. Unanimous 5-0

#### PURCHASE ORDERS TO APPROVE

Shaffer made a motion to approve purchase orders in the amount of \$673.81. (Attachment)  
Seconded by Malec. Motion Carried. Unanimous 5-0

#### CITIZEN COMMENTS - OPEN COMMENTS AT THIS TIME

Bonnie Cravener requested crosswalks installed at the intersection of 5<sup>th</sup> Avenue and 15<sup>th</sup> and "no parking here to corner" signs. Cravener is concerned for the safety of residents crossing at this intersection.

Council President Lux explained we are in the process of getting quotes to paint lines and stated the catch basins need cleaned out along the 6<sup>th</sup> Avenue extension

#### SOLICITOR COMMENTS

Solicitor Wolfe had no comments at this time.

#### MAYOR COMMENTS

Mayor Mantini thanked members of the Ford City Hockey Team for putting up signs for Heritage Days. Congratulated the Armstrong Jr. Legion for taking 2<sup>nd</sup> Place.

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Tokarek requested an executive session to discuss personnel. Thanked members of the Parks & Recreation Committee for keeping the Softball Fields in Cadogan in great shape and stated the ball field at Ft. Run looks good too. The Rails to Trails looks well maintained as well. Stated the Sewage Authority 2005 audit is not completed yet.

Dillard had no comments at this time.

Malec stated he is impressed with the residents, and the Garden Club. Malec suggested the residents clean catch basins and pull the weeds.

Shaffer stated he agrees with Mr. Tokarek about grants, explained Senator White was instrumental in the Borough obtaining the H2O \$662,000 for water plant repairs. Shaffer stated \$1,000,000 from Penn Vest is available too.

Council President Lux had no comments at this time.

Shaffer made a motion to adjourn at 8:49 pm.

Dillard explained Ford Cliff Borough is requesting no parking here to corner be installed at Neale Avenue & Hobson Drive.

Dillard made a motion to install signs and paint the roadway at Neale Avenue & South Hobson.  
Seconded by Malec. Motion Carried. Unanimous 5-0

#### CITIZEN COMMENTS

Luke Johns explained 7<sup>th</sup> Avenue ballfield is sloped the wrong way, every time it rains the alley 1210 6<sup>th</sup> Avenue floods.

Malec explained that is a combination sewer area by Tomaswick alley sloped toward garages and the garages sit lower than alley

Johns asked if the Borough is able to build a culvert?

Dave Nichols stated the alley must be looked at.

Johns stated the alley is decaying

Malec and Dillard will look at the problem area.

#### ADJOURNMENT

Shaffer made a motion to adjourn at 9:04 p.m. Seconded by Dillard.  
Motion Carried. Unanimous 5-0

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John M. Lux, Sr.  
Council President

Lisa Bittner  
Borough Secretary