

MINUTES
FORD CITY BOROUGH COUNCIL
REGULAR MEETING
LOCATION – FORD CITY PUBLIC LIBRARY
OCTOBER 5, 2009

CALL TO ORDER Council President Lux called the meeting to order at 6:09 p.m. He advises the audience that the meeting will be audio and video taped. John Lux asks if anyone in the audience is audio or video taping the meeting? There was no response.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS

John Lux read the list of prepared announcements. (Attachment)

ROLL CALL

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

ATTENDANCE

Solicitor Frank Wolfe, Engineer David Nichols, Bridgette Opalka, Renee Zacour, David Croyle Homer Pendleton, Chris Zionkowski, and Mitch Fryer were also present.

MINUTES

Shaffer made a motion to accept the minutes for 7-6-2009. Seconded by Klukan. Motion Carried. 6-0 Unanimous

Klukan made a motion to accept the minutes for 9-14-2009. Seconded by Dillard. Motion Carried. 6-0 Unanimous

CITIZEN COMMENTS

Bridgette Opalka (Tax Collector)

Opalka submitted compiled reports for 2009 to discuss repeal of per capita tax. According to numbers, as of August, collected over \$12,000.

Opalka expressed her concern with replacing the revenue generated by the per capita tax. Opalka asked council to consider her report when they make their decision. Opalka reminded everyone she has been collecting delinquent taxes from 2008. Opalka stated she is concerned that property and business taxes may go up.

Tim Malec questions Bridgette Opalka about her success ratio on collecting taxes.

Opalka stated the collection is as accurate as tax records are, added she about 60 people in 2008 and about 300 people in 2009. It is a lot of work but takes pride in her job. Feels this is the fairest tax for everyone in Ford City because it is based on all residents.

draft

MINUTES

10-5-2009

REGULAR COUNCIL MEETING Tim Malec states that the Borough doesn't go after delinquents and

previous tax collectors have been exonerated from collecting.

Bridgette Opalka claims that records are now more accurate and are able to be updated but that it is a slow process because it has been left go for such a long time.

Tom Shaffer states that in 2010 the town must be re-assessed.

Bridgette Opalka states that assessors will be needed but are paid minimum wage for 329 hours [information from Armstrong County]. No other borough or township has gotten rid of the per capita tax.

Opalka explained all residents are charged \$10 to live in Ford City, if they are employed the are charged \$20.

Ron Dillard questions Bridgette and whether she feels she is capable of collecting taxes.

She states she feels she has a better ability to collect and that she has been doing it.

Ron Dillard questions amount of revenue her collections would generate.

Bridgette states a gross of around \$25,000. Must leave some room for error.

Tom Shaffer asks Bridgette if she is going to file a claim at the magistrate for each person who doesn't pay.

Bridgette Opalka states that she must turn in all names to magistrate to be fair. Bridgette was told by Homer Pendleton when hired that she has 3 years to collect delinquent taxes.

Tom Shaffer questions who is responsible for magistrate fees.

Opalka states there is no cost to the borough or tax collector the fees are passed on to the delinquent tax payer.

Dillard questions if Bridgette's records are computerized? Opalka answers she uses software that she bought. Opalka can provide records but you won't be able to open without the software.

Renee Zacour

Zacour stated the CDC is still an organization and would like to address Tom Shaffer's letter. Zacour stated every dollar from the grant was spent properly. The audit was not accurate and the CDC is thinking about filing a law suit against Maher-Duessel.

Zacour questions the total cost of the Ford Street Project?

draft
MINUTES
10-5-2009
REGULAR COUNCIL MEETING

Shaffer responds the cost was about \$660,000.

Zacour then asks how much was borrowed?

Shaffer responds \$125,000.

Zacour states that \$646,000 in grants were received for the Ford Street Project. The water line project was paid prior.

Zacour questions if the contractors for Ford Street are paid in full?

Council President Lux answers no and states the grant is not closed out.

Zacour questions if Clearwater Construction been paid?

Council President Lux answers yes.

Zacour questions if that grant was closed out?

Shaffer states that it cannot be due to the CDC [The have documents].

Zacour questions the status of the Water Line Extension Grant for benefit of Fire Department \$89,000?

Tom Shaffer and Dave Nichols - Borough Engineer states that the County recommended after the proposed project was reviewed by an engineer it would gain any benefit for the Fire Department.

Nichols states that he reapplied for a dust collector at the water plant.

Zacour would like a synopsis of why it would not work.

Nichols explained that the county withdrew support.

Zacour questions what happened to the \$20,000 wall grant that was applied for 1100 block on 7th Avenue?

Shaffer states that the grant was never submitted.

Zacour states that it was awarded and then comments "dropped the ball on another one."

Shaffer states "2007."

Zacour states that Tom Shaffer stated at a meeting that he will not take a paycheck. She questions when and if he will pay the money back to the Borough?

Shaffer states it has not been paid back yet but will be at end of year.

draft
MINUTES
10-5-2009
REGULAR COUNCIL MEETING

Zacour questions if Lindy's is paying .25 per cup of coffee to library?

Shaffer states it was not him.

Zacour states that according to Article 12 Section 1201 Paragraph 4, it is illegal to give away government property or money, questions giving away Caracal Rent - \$80,000 was given away?

Solicitor Wolfe states that she does not understand what happened, that her lawyer [CDC lawyer Chuck Pascal] approved the bankruptcy.

Zacour questions if the borough received highway aid this year?
Zacour stated \$80,000 was spent this year and questions where it was spent?

Dillard states that this year's monies were received. Spoke with Lisa about purchasing equipment and paving street.

Zacour states that someone could easily be embezzling. The Highway Aid is not reflected in the budget. It is not reflected in treasurer's report that it was received or spent.

Zacour states that if there is a surplus in the budget, she would like the library put back in the budget, bussing paid for, summer employees, and streets paved.

Zacour states that the accounting has been changed and that the utility fund accountant was eliminated. There is a serious flaw in the accounting. The finance committee needs to address the money not accounted for. There is a substantial amount of missing money. Hundreds of thousands of dollars.

Solicitor Frank Wolfe states that there are thousands of transactions that take place at the borough each day and you are asking these people to come up with an answer on the spot. Solicitor Wolfe thinks Renee is out of line, he feels offended, and feels she is at the meeting to make political statements and she should do it on her own time. He also states that if you feel that there is improper activity that it should be reported to the District Attorney.

Council President Lux questions why this had to be brought to a public meeting for discussion.

Zacour states it is a public meeting and her question deals with financial issues.

Zacour states he has a problem with this and that she should have come to the office to discuss. Lux stated he feels that Zacour has an agenda.

draft
MINUTES
10-5-2009
REGULAR COUNCIL MEETING

Malec states that the same thing happened two years ago during elections, understands what is going on, didn't agree with it then and doesn't agree with it now.

Solicitor Wolfe explained Shaffer's letter was presented to newspaper.

Zacour states that she feels it is her responsibility as a taxpayer to make sure there is proper accounting due to previous financial history.

Shaffer questions whether Zacour is blaming borough accounting for misappropriated funds? Zacour answers no.

Shaffer questions Zacour whether she is blaming Maher-Duessel for the audit not being done? Zacour answers yes.

POLICE REPORT The Police Report for September 2009 was read by Mayor Marc Mantini.

Klukan made a motion to accept the Police Report for September 2009. Seconded by Shaffer. Motion Carried. 6-0 Unanimous (Attachment)

The resignation letter of Justin Welton was read by Mayor Marc Mantini. (Attachment)

Shaffer made a motion to accept the resignation of Justin P. Welton from the Police Department. Seconded by Klukan. Motion Carried. 6-0 Unanimous

COMMITTEE REPORTS

Water Reports were read by Ron Dillard and explained they are available in the Borough Office. (Attachment)

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

Treasurer's Report for August 2009 was read by Tom Shaffer.

Shaffer made a motion to accept the Treasurer's Report for August 2009 and pay the bills in the amount of \$43,584.84 plus Craig's \$1090.00 as approved by the Finance Committee. (Attachments) Seconded by Klukan. Motion Carried.

Terry Tokarek asked about amusement tax revenue for \$800? A short discussion took place concerning the amusement tax collection. Dillard asked to review the file.

draft

MINUTES

10-5-2009

REGULAR COUNCIL MEETING

Council President Lux called for a vote. 5-1 Motion Carried. Tokarek votes no.

ENGINEER REPORT

Dave Nichols submitted the report for October 2009. Dave Nichols will be contacting Jennifer Bellas concerning the CDBG Project for the Dust Collector at the WTP. Nichols explained the Chemical Bids will be tabulated and sheet will be prepared. Nichols stated there were no bids for salt so will have to be re-advertised. (Attachment)

Tokarek questions whether the sewage authority or the borough received the H2O grant?

Nichols stated that he submitted the borough application for the H2O Grant in March 2009. Shaffer stated he will get a letter from Senator White's Office concerning the grant status.

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

OLD BUSINESS

BUILDING #228

Tom Shaffer explains that Sipes agreed to do all abatement, DEP, building, and fence at no cost to borough. The Borough had another offer to tear down for the cost of dumpsters. After demolition of Eljer Sipes will demolish #228. The borough has to supply nothing and he will submit all necessary applications.

Malec questions if dirt will be needed to cover demolition site?

Shaffer states that he will have to wait to find out but fence will be built.

Mayor Mantini thanks Sipes for giving the police lockers.

Shaffer made a motion to authorize Solicitor Wolfe to prepare an agreement for vote on 10-19-09. Seconded by Klukan. Motion Carried. 6-0 Unanimous

Mitch Fryer asks what the lowest bid was for the demolition?

Shaffer answers \$107,000.

Fryer questions about the #228 fund and the study done with the money from the fund.

Zacour asks how much the borough paid for the study?

Tom states around \$900 and that it was turned over to Sipes.

[Actual price \$925]

David Croyle asks how much is left in fund? Shaffer states that money from the fund was used for study and to pay Senate Engineering for specs.

Zacour asks what is the balance?

draft
MINUTES
10-5-2009

REGULAR COUNCIL MEETING

Shaffer states so there is probably money in there.

CHEMICAL BIDS OPENING - See Engineer's Report (Attachment)

BULK DE-ICING SALT BID - OPENING - See Engineer's Report

ELJER UPDATE Shaffer explained VPI has a signed sales agreement with Mr. Sipes to purchase Plant #2. Mr. Young - VPI has projected anywhere from 60 to 120 jobs starting in January 2010. Demolition proceeding with Plant #1. There are further developments that hopefully will create more jobs.

AUDIT \$805,000 GRANT

Withdrawn by Council Shaffer.

PER CAPITA ORDINANCE

Tabled until October 19, 2009 meeting.

BOROUGH GARAGE ROOF

Dillard made a motion to authorize Schultheis Roofing to install snow guards to all areas that new metal has been installed for a cost of \$2,600.00 and authorize the Council President to sign the proposal. (Attachment)
Seconded by Malec. Motion Carried. 6-0 Unanimous

LANDLORD TENANT ORDINANCE

Companion Ordinance, should be advertised together. Tabled - Will vote on 10-19-09.

TOWING ORDINANCE

Council President Lux explains Towing Ordinance. Lisa must meet with Sgt. Klingensmith to discuss sections D, H, & L and obtain suggestions for times.

RECREATIONAL FIRE ORDINANCE

Council President Lux states that he sat down with the Fire Chief to come up with a plan for recreational burning and would like everyone's input.

Mayor Mantini would like council to discuss with police.

Lux & Malec think that 2:00 a.m. is too late.

SECOND BAPTIST CHURCH

draft Gene Banks thanked council and thanked the Mayor for addressing their guests on Sunday.

MINUTES

10-5-2009

REGULAR COUNCIL MEETING

Shaffer made a motion to ratify Second Baptist Church the use of Boulder Park on Sunday, October 4, 2009. Seconded by Klukan.

Motion Carried. 6-0 Unanimous

ELJER WAY SIGNS - 911 REQUEST

Shaffer explained 911 has it in their system the name Eljer Way and to some it is also know as Second Avenue. 911 requested Ford City Borough refer to this road as either name Eljer Way or Second Avenue. Shaffer stated there is only one sign and if council goes with Eljer Way an additional sign should be installed at the other end of the road.

Mayor Marc Mantini stated John B. Ford and other immigrants started up Eljer. Sun Capital took Eljer down. Please consider that Eljer originally was a good company.

Klukan made a motion to keep road way named Eljer Way. Seconded by Shaffer. Motion Carried. 6-0

PREMIUM ONLY PLAN

Tabled because additional information is required.

NEW BUSINESS

FORD CITY HOSE CO #1

Shaffer made a motion to ratify the placement of strings of lights on Ford Street from light pole to light pole from October 1 until January 31, 2010. Seconded by Tokarek. Motion Carried. 4-0 Ray Klukan & John Lux abstain

DOMINION - REQUEST

First Tim Malec & Ron Dillard saw request. Ron will meet with Chris Wagner. (Attachment)

PCC GRANT 2010-2011

Shaffer made a motion to accept the proposal of Donna Kornasiewicz to prepare the PCC Grant for 2010-2011 at a cost of \$500.00. Seconded by Dillard. Motion Carried. 6-0 Unanimous

CROP WALK - 2009 Malec made a motion to approve the request of Grace-St. John's Lutheran Parish to hold their annual CROP WALK on Sunday, October 11, 2009 beginning at 2:30 p.m. and inform the Police Department. Seconded by Shaffer. Motion Carried. 6-0 Unanimous

BUSINESS PROFESSIONAL ASSOCIATION

Malec made a motion to approve the request of the Business Professional Association to hold the annual Light Up Night on Saturday, November 21, 2009. Seconded by Klukan. Motion Carried. 6-0 Unanimous

OLD BICYCLES

Shaffer made a motion to ratify the advertisement that the Police Department will be disposing of unclaimed bicycles. Seconded by Klukan. Motion Carried. 6-0 Unanimous

PENNVEST LETTERS Shaffer made a motion based on the recommendation of Susan Wolf, CPA, authorize Council President Lux to sign the letter prepared by Wolf to Pennvest. Seconded by Klukan. Motion Carried. 6-0 Unanimous

MINUTES
10-5-2009

REGULAR COUNCIL MEETING

LATIN AMERICAN CLUB LETTER

Lux explains a letter and a discussion about milling section of road takes place. Ron Dillard will meet with White's Paving.

BOARD OF HEALTH

Shaffer made a motion to send a letter to Jerry Miklos concerning his absence from meetings of the Board of Health.

Seconded by Dillard. Motion Carried. 6-0 Unanimous

HEY ELECTRIC Shaffer states that the company that did the work on the bridge to replace a light pole that was damaged in January 2009 they wanted paid.

Shaffer made a motion that Ford City Borough pay Hey Electric \$6000 and get reimbursed by the insurance company.

Seconded by Klukan. Motion Carried. 6-0 Unanimous

Dillard questions if a reimbursement should be made back to the borough for being the intermediary between Hey Electric and the insurance company. Shaffer states he will explain personnel issue in executive session.

FIRE MARSHAL Lux introduces sample ordinance to appoint Ron Wojcik as Fire Marshal.

CITIZEN COMMENTS

There were no comments at this time.

SOLICITOR COMMENTS

Solicitor Wolfe had no comments at this time.

MAYOR COMMENTS

Thanks to the Hall of Fame Committee for inducting Ford City Police Department and Ford City Hose Company #1. Commended the Leechburg Recycling Program. Thanks for the invitations to the Fire Department's Autumnfest and Second Baptist Church's Community Day.

Commended Ford City Council, Tom Sipes, President Lux, Councilman Shaffer, and Solicitor Wolfe for the work they did.

COUNCIL COMMENTS

Tokarek - Apologized to Don Mains for his idea for the horror movie being squelched. Parks & Recreation doing a great job and is beneficial to citizens and visitors.

Malec and Dillard had no comments at this time.

Klukan thanked everyone for attending our Autumn Festival.

Thanks to Businesses for donating electric supply for booths.

Shaffer expressed his condolences to Freeport and family of Mayor Ravotti of Freeport. Glad things are being questioned. Citizens have right to question, welcomes an audit. Maher-Duessel criticized CDC, and not me. I hope the truth will come out.

draft

MINUTES

10-5-2009

REGULAR COUNCIL MEETING Lux thanked and congratulated the Hall of Fame inductees. Thanks to

Parks & Recreation, they are doing a great job. Thanks to everyone who came to Fire Department's Open House.

ADJOURNMENT

Klukan made a motion to adjourn the meeting at 8:13 p.m. Seconded by Shaffer. Motion Carried 6-0 Unanimous

John M. Lux, Sr.
President

Lisa Bittner
Secretary

draft
MINUTES
10-5-2009
REGULAR COUNCIL MEETING