

MINUTES
FORD CITY BOROUGH COUNCIL
REGULAR MEETING
LOCATION – FORD CITY PUBLIC LIBRARY
FEBRUARY 8, 2010

CALL TO ORDER President John Lux called the meeting to order at 6:07 p.m. and advised the audience that the meeting will be audio and video taped by Family Life TV.

Lux asked everyone to please place their phones on vibrate. If you must answer, step out of the meeting.

Lux questioned if anyone was taping the meeting. There was no response.

PLEDGE OF ALLEGIANCE

Lux led everyone in reciting the Pledge of Allegiance.

ROLL CALL

Ron Dillard, Lou Vergari, John Lux, Ray Klukan, Paul Harmon, Rob Mohney, and Mayor Mantini were present.

ATTENDANCE

Solicitor Frank Wolfe, David Nichols - Borough Engineer, Scott Gaiser - Fire Chief, Chris Zionkowski, Bill Oleksak, Terry Tokarek, Zoltar Kupas, Brenda Vargo, and Jerry Miklos were also present.

ANNOUNCEMENTS

Lux read the announcements. (Attachment)

MINUTES

Klukan made a motion to accept the minutes from 12-7-2009. Seconded by Dillard. Harmon, Mohney, and Vergari abstain. Motion Carried 3-0.

Dillard made a motion to accept the minutes from 12-21-2009. Seconded by Klukan. Harmon, Mohney, and Vergari abstain. Motion Carried 3-0.

Vergari made a motion to accept the minutes from 1-4-2010. Seconded by Harmon. Motion Carried. 6-0 Unanimous

Vergari made a motion to accept the minutes from 1-11-2010. Seconded by Klukan. Motion Carried. 6-0 Unanimous

POLICE REPORT

The Police Report for January 2010 was read by Mantini.

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Klukan made a motion to accept the Police Report for January 2010. Seconded by Mohney. Motion Carried. 6-0 Unanimous

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approved 3-8-2010
with corrections .

COMMITTEE REPORTS

Harmon read the Water Report. Water Reports are available in the Borough Office.

Mohney made a motion to accept the Water Report. Seconded by Klukan. Motion Carried. 6-0 Unanimous

Harmon read the Treasurer's Report for December 2009. Klukan made a motion to accept the Treasurer's Report for December 2009. Seconded by Mohney. Motion Carried. 6-0 Unanimous

Dillard questions why majority of monies were taken from highway aid fund to pay for new truck, and only a minuscule amount of funding came from water. Doesn't give us much of a split to use for water department. We discussed taking half of the money so we could apply truck to water use.

Lux states that he understood that truck could be used by water department since some of funding came from public utility.

Dillard would like to look into the funding by getting in touch with PennDOT.

Klukan made a motion to pay the bills in the amount of \$57,060.02 as approved by the Finance Committee. Seconded by Vergari. Motion Carried. 6-0 Unanimous

ENGINEER REPORT

David Nichols presented the Engineer's Report for February 2010.

Discussed grant applications for the Safe Water Appropriation Grant Assistance and the H2O-PA Grant Assistance, permits, and scheduling a meeting with DEP.

Vergari made a motion to authorize the Borough Engineer to complete the funding applications under the safe water appropriation assistance and H2O Pa grant assistance programs for the calendar year of 2010 including filing PADEP permit applications. Seconded by Dillard. Motion Carried. 6-0 Unanimous

Boiler evaluation includes report and attached emails. There are three (3) options to choose from. Energy analysis is similar for all three choices. Asbestos gaskets must be removed from boiler and cost is not included in report. Boiler will be replaced with smaller and more efficient unit.

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with corrections .

Discussion about boiler replacement. Any questions can be addressed by Jeff Olander - Olander Engineering.

Mantini is concerned about heating building to the point where second floor is so hot they must open windows. In replacement will there be zoned areas?

Nichols answers yes, the areas are zoned now.

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

OLD BUSINESS

PCC 2009-2010 Dillard made a motion to authorize the Council President to sign the administration agreement with Armstrong County for the PCC Grant 2009-2010. Seconded by Klukan. Motion Carried. 6-0 Unanimous

F.C.B.M.S.D.A. Sewage Authority Member Brenda Vargo addressed council to explain their request for assistance from Borough Council. (Attachment)

Vargo & David Nichols - Engineer for the F.C.B.M.S.D.A. explain the needed involvement of Ford City Borough.

Wolfe explains advertising process for these ordinances.

Ford City Borough would like to meet with F.C.B.M.S.D.A. to discuss.

Dillard questions time-frame for public meeting explaining project to affected citizens.

Dillard made a motion to advertise two ordinances by which Ford City Borough guarantees \$500,000 bridge loan S&T Bank and \$1,570,000 Pennvest 20 year loan executed by F.C.B.M.S.D.A. for implementation of long term control plan, all cost incurred by Borough shall be reimbursed by F.C.B.M.S.D.A.

Lux wants more time to consider request and to set up a meeting between Ford City Borough and Sewage Authority.

Members of council agreed to attend the F.C.B.M.S.D.A. meeting to be held on Thursday, February 11, 2010 @ 6:00 pm. at the sewage plant.

Brenda Vargo commented that S&T just finalized their paperwork this week. The Sewage Authority is working diligently to get everything into place.

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approved 3-8-2010 Dillard answers in 2000 on 6th Avenue.
with corrections .

Mantini concerned about streets being put back in place.

[Originally typed this way....

Nichols states that the scope of this separation is last 20% of borough, from 12th street to 17th street.

Voted on 3-8-2010 to have record read the following way. However, the original sentence was correctly typed according to what was said during the meeting using 17th street]

[Record changed to....]

Nichols states that the scope of this separation is last 20% of borough, from 12th street to 15th street, 3 (three blocks).

Dillard concerned about project, also.

Lux would like to table motion until the meeting with the Sewage Authority takes place..

Nichols requests council to schedule a special meeting next week.

Mantini questions if this could be passed pending results of Thursday's meeting.

Dillard would like Lux to specify time and date of meeting

Lux called a Special Meeting for Tuesday, February 16th @ 5:00 p.m. and that it must be advertised.

BOILER - BOROUGH BUILDING - Discussed above in Engineer's Report.

NEW BUSINESS

CUSTOMER NOTIFICATION

David Nichols explained this is a requirement of the EPA due in place May 2010. There is a quote from Swift Reach. A short discussion took place and the item was tabled.

SWEEPING SCHEDULE & TRASH DAY ADVERTISEMENT

Vergari made a motion to approve the advertisement, in a large block ad, of the 2010 Sweeping Schedule including the Trash Schedule for 2010. Seconded by Harmon. Motion Carried. 6-0 Unanimous

GAZEBO REQUEST Dillard made a motion to grant permission to Michele Johnson to reserve the Gazebo on Saturday, September 25, 2010 from 2:00 p.m. to 4:00 p.m. and inform the Street Dept. and Police Dept. Seconded by Vergari. Motion Carried. 6-0 Unanimous
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Dillard made a motion to grant permission to the New Life Center to reserve the Borough Park for an Easter Egg Hunt on Saturday, March 27, 2010 from 10:00 a.m. to 4:00 p.m. and inform them at that time of the year water service will not be available and inform the Street Dept. and Police Dept.

Seconded by Klukan. Motion Carried. 6-0 Unanimous

EASTER EGG HUNT

Dillard made a motion to grant permission to the Ford City Lions Club to hold their annual Easter Egg Hunt on Saturday, April 3, 2010 at 1:00 p.m. in the Borough Park and to inform the street dept. and police dept.

Seconded by Vergari. Motion Carried. 6-0 Unanimous

MEMORIAL EVE SERVICE

Dillard made a motion to grant permission to the Ford City Lions Club to hold their annual Memorial Eve Service on Sunday, May 30, 2010 at 10:00 p.m. in the Borough Park and instruct the Borough Secretary to send letter to Allegheny Power asking them to turn off the Street Lights during the service and to inform the street dept. and police dept.

Seconded by Mohny. Motion Carried. 6-0 Unanimous

REAL ESTATE EXONERATIONS

Harmon made a motion to exonerate Bridgette Opalka - Ford City Tax Collector from collecting the Real Estate Taxes for 2009.

Seconded by Mohny. Motion Carried. 6-0 Unanimous

CABLE FRANCHISE AGREEMENT

David Croyle - Family Life TV - Questions what review of agreement entails.

Solicitor Wolfe explains the amount of money borough receives as a franchise, length of agreement, and public service channels are reviewed.

Harmon made a motion to authorize the Council President to forward a letter to Cohen Law Group authorizing them to review the Cable Franchise Agreement between Ford City Borough and Kittanning Cablevision at no charge.

Seconded by Vergari. Motion Carried. 6-0 Unanimous

Mantini questions if law firm is competent.

Wolfe states they did the original agreement.

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with corrections .

TAX COLLECTOR APPOINTMENT

Klukan made a motion to appoint the Elected Tax Collector,

Allyssa Burk to collect the Local Service Tax and the Occupation Tax.
Seconded by Vergari. Motion Carried. 6-0 Unanimous

PAVING - 2010

Council reviews figures provided by PennDOT.

Vergari questions how locations were chosen.

Lux stated assessed by PennDOT.

Council discusses use of fabric and what roads need attention.

[Originally typed this way....

Dillard feels city streets should be done first since a base is present.

Hilltop should be tarred and chipped to establish a base for future paving

Voted on 3-8-2010 to have record read the following way. However, the original sentence was correctly typed according to what was said using Fort Run]

[Record changed to...]

Dillard feels city streets should be done first since a base is present. Ford View should be tarred and chipped to establish a base for future paving.

Nichols states that borough needs to try to prioritize.

Dillard asks Nichols for an estimated cost for tar and chip.

Nichols states tar and chip is approximately \$18 per square yard and asphalt \$30 per square yard.

PLANNING COMMISSION

Dillard made a motion based on the recommendation of the personnel committee to appoint Jennifer Willyard to the Planning Commission.
Seconded by Mohney. Motion Carried. 6-0 Unanimous

Mohney made a motion based on the recommendation of the personnel committee to appoint Tim Bennett to the Planning Commission.
Seconded by Harmon. Motion Carried. 5-1 Dillard votes no.

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with corrections .

Mohney made a motion based on the recommendation of the personnel committee to appoint Tom Shaffer to the Planning Commission.
Seconded by Klukan. Motion Carried. 4-2 Dillard and Vergari vote no.
Dillard objects motion about Tim and Tom.

Dillard states he is unhappy about adding something to agenda.

Vergari states he feels blind-sided.

Lux states that they were interviewed and that this is a typo.

Mohney states it doesn't have to be on agenda to make a motion.

Dillard states he was berated at last meeting for adding something to agenda on a Monday morning, consistency must be kept.

Vergari was invited to interview, when went to interview was told interview was already completed. Ford City voters didn't want Shaffer on any part of government, that is why he ended up in 5th place out of five.

Mantini stated that serving on the Planning Commission is voluntary.

Vergari wanted to attend the interview. He feels he is on council in name only. States that it is frustrating, not given opportunity to be an active council member. Vergari stated he feels it should have been postponed until everyone could be there. Vergari explains he doesn't feel this is the correct way to go about things.

Mantini says smooth running Planning Commission is important for the borough to function.

Vergari states the Finance Committee meeting was held to discuss opening the budget. MCTA cannot be left out of budget for 2010. Last meeting [12-21-09] the unpaid bills were \$1900. Three weeks [1-11-2010] later the unpaid bills were \$87,000. Questions if bills were held back on purpose?

Lux states that the intention was not to blind-side anyone, the names were left off of the agenda.

HANDICAP SIGN REQUEST - ST. JOHN LUTHERAN CHURCH

Send request to handicap committee.

WALL - BOROUGH BUILDING / SIREN POLE-LEANING

Klukan made a suggestion to remove wall in borough parking lot to increase the parking.

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Mantini expressed his concern about vehicles driving into building. Asks if something else can be put there, for example jersey barriers.

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Mohney and Harmon suggest using bollards.

with corrections .

Dillard states to take wall down, protect building, shore up pole, and a motion is not needed and as the president of the Street Committee – just

do it. .

Klukan states the siren pole should be moved to the borough garage.

Dillard states that the pole was placed centrally in town.

Klukan states siren is only used for Halloween Music and Memorial Day Service.

CITIZEN COMMENTS

Jerry Miklos - explained he obtained a copy of the minutes from the council meeting held on 11-9-2009. Miklos claims there was an omission under the section concerning the BOH discussion. Miklos states council agreed to have the topic on the agenda at the next regular council meeting to be held in December.

Miklos provides a copy of the 11-9-2009 minutes to Council President Lux.

Lux explained he recalls agreeing to attend the next BOH meeting.

Dillard stated he committed to attending BOH meeting too..

Miklos agrees with that statement, but stated council was to bring the topic up again at the next regular council meeting.

Dillard states that the BOH topic was discussed at a special meeting and a decision was made.

Lux asks how council can commit to anything without having reviewed the audio and video tape of the 11-9-2009 meeting.

Dillard would like the minutes corrected if this correction should be added.

Miklos and Dillard discuss the topic of minutes.

Lux states that a correction will be made if necessary.

Miklos feels the minutes should be available to the public before approved by council.

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Solicitor Wolfe states that unofficial minutes are not to be released. The Borough Codes states the minutes do not become an official document until approved.

Miklos is interested in minutes because it is official document of meeting.

Solicitor Wolfe states that tape is not permanent document. The approved minutes are the official record.

Mantini stated the transcription process is a tedious process. The best record is the video tapes of the meeting.

Miklos feels this is a glaring omission.

Miklos states the minutes should be on website, with three (3) full time secretaries, this could be easily done.

Lux explained he will speak to the secretaries.

Klukan stated the minutes cannot be made public until they are approved.

Dillard states that if there was an omission in the transcription we will make an adjustment.

Miklos stated only one sentence is needed.

Dillard would like all of the discussion in that particular section typed verbatim.

Mantini cautioned this may set a precedent.

Dillard states we are dealing with this particular incident alone.

SOLICITOR COMMENTS

Solicitor Wolfe explained the settlement concerning the Western Surety Bond case just needs a motion to approve the \$2000.00 settlement.

This \$2000 doesn't even pay our solicitor fees.

Dillard asks how much it would cost to go to court? Council paid the premium the insurance company is not paying the insurance as the should.

Solicitor Wolfe explains the case goes back to 2002. Wolfe explains this is a business decision, person was found not guilty. Wolfe stated this case is difficult without a criminal conviction.

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with corrections . Vergari agreed with Dillard.

Dillard comments borough had a loss of money, since case was lost the insurance company does not want to pay their commitment. Dillard stated they should be fired and find someone else to protect our interests. The borough pays an annual premium and they only want to give us \$2000, they save \$48,000.

Lux states that council will look into another carrier.

Mohney asks Solicitor Wolfe if it is his professional opinion to accept offer?

Solicitor Wolfe answered yes.

Mohney made a motion to accept settlement and have president and secretary sign the release.

Seconded by Harmon. Motion Carried. 6-0 Unanimous

Dillard made a motion to relieve insurance company after a new agent is found.

Tabled until the next meeting.

Bill Oleksak asked if the siren would be removed before the Lions Memorial Service?

Klukan states if the siren is moved, it will be hooked back up.

MAYOR COMMENTS

Thanked Borough workers, fire department, ambulance workers, county officials, gas company, electric company, and apologized if anyone was forgotten during the last emergency we had. Thanks to Lux & Harmon for their help while I was out of town. Mantini explained he was in a neighborhood in North Hills had no power for extended period of time. We can all appreciate what workers did here. Thanks to Pastor Riggle for snow removal. Citizens need to remove snow, the police will enforce. PCC is remodeling the borough office, and thanked them. Mr. Gray coordinates program which teaches skill and make productive members of society. Congressman Murtha has passed on, he was a decorated veteran and he served the country and constituents, and was a friend of Ford City and Armstrong County.

COUNCIL COMMENTS

Dillard had no comments at this time.

Vergari stated everybody cleaned snow, neighbors helped cleaning sidewalks it was a beautiful site this past Saturday. Ford City did a good job.

minutes

Klukan had no comments at this time. .

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with corrections .

Harmon stated people came in from out of town and were helping with snow removal. Everyone did a good job. There has been no garbage service but will resume on Tuesday.

Mohney stated accolades are to be given to the paid employees and to the

volunteers. A business owner on Ford Street, Marcia's Garden was happy with snow removal and the parking. Mohny reminded everyone out of courtesy, don't park where someone just removed the snow.

Lux stated he was out beginning at 5:00 a.m. unbelievable the amount of people removing snow. Everyone helped their neighbors.

ADJOURNMENT

Klukan made a motion to adjourn at 8:14 p.m.

Seconded by Mohny. Motion Carried. 6-0 Unanimous

John M. Lux
Council President

Lisa Bittner
Borough Secretary

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