

## **Regular Meeting of California Borough Council, March 9<sup>th</sup>, 2023.**

President Alfano called the meeting to order at 6:30 pm

**ATTENDANCE:** Mr. Alfano, Mr. Bittner, Mr. Difilippo, Mr. Frank, Mr. Glab, Mr. Maddiex, Mr. Mariscotti, Kai Vanderlaan

**ABSENCE:** Mayor Stetar

### **PLEDGE OF ALLEGIANCE**

### **ADDITIONS/CHANGES TO THE AGENDA**

Accept the resignation of Officer Brighton

**PUBLIC COMMENTS:** None

### **SPEAKER-**

#### **Sarah Seadar-Big Event**

Ms. Seadar is the Vice President of the Student Government on campus at Penn West-California and serves as the event chair. She spoke about their annual “The Big Event.” She brought save the date flyers for the event that will take place on April 22<sup>nd</sup> 2023. It is an all-day event that starts at 8am.

#### **Jamison Roth-**

Mr. Roth is the Emergency Management Coordinator came to works with the Borough and Penn West-California and is working to merge the EOP and Hazard Litigation Plan between the two. Will present to council once complete. The county would like to see the University and Borough as one. He spoke in regards to the East Palestine train derailment, and has been monitoring the information that the Department of Public Safety has shared with the County, there are currently no concerns for Washington County. They did recommend air quality testing within the county as the advisement of FEMA and EPA. There are some websites that he will be giving to Ms. Evans and Chief Smith to publish on social media for concerned residents to seek out.

Hail storm follow up. He reached out to all parties that have contacted California Borough, and either spoke with them or left a message. He shared a letter/form with Ms. Evans that will be sent out to all residents who are not insured or under-insured and incurred damage from the hailstorm and will collect that information. To date the list is less than the 25 residents to meet the qualifications that FEMA would step in and provide small interest loans to community members. We have to have 25 residents that show 40 percent loss on their property and they based that off of what Washington County Assessment of the value property.

Mr. Roth addressed Super Train concerns, was brought to us by West Brownsville. The concern is that they would be bringing 4-6 locomotives with 300 plus train cars through the community and would take around 40-50 minutes to go through downtown West Brownsville. There were some that came through this week with 200 train cars and took about 8-10 minutes to go through town but that the trains will grow larger. Mr. Roth suggested that council attends a meeting with West Brownsville to obtain more information about the trains. Two concerns that is raises is the two crossings at Penn West University, causing kids to wait 20 minutes for the train and concerns that kids are going to attempt to beat the train and could have some incidents there. The second concern is with the Coal Center bridge out and trains passing through could cause significant delays to those residents that live there were they to need any type of assistance.

Mr. Roth spoke about demonstrations that he has been part of with the Emergency Management Role with the Emergency Alert System. He would like to gather some information and present it to council regarding mass email messages for our residents. He stated that a number of people have voiced that concern that we don’t have that service anymore. He wants to see what cost and any other information he could come up with and share with council.

## **MINUTES**

Motion by Maddiex/Frank to approve the minutes of the Regular meeting of February 9<sup>th</sup>, 2023 carried with all member present stating aye.

### **TREASURER’S REPORT**

Ms. Evans read the accounts payable and bank balances as of March 9th, 2023.

Motion by Mariscotti/Frank to accept the Treasurer’s report carried with all members present stating aye.

Motion by Mariscotti/Bittner to close the Bond Proceeds Account carried on a roll call with all members voting yes.

Motion by Maddiex/Bittner to close Cal-Ed Building Fund created in 1990’s with Balance of \$127.00 to go to general fund carried on a roll call with all the members voting yes.

### **PRESIDENT ALFANO’S REPORT**

#### **UPDATES-**

#### **MMVTA MATCH RESOLUTION**

Motion by Maddiex/Glab to approve the MMVT 2023-2024 Match Resolution for \$3,015.00 with no payment due at this time carried on a roll call with all members voting yes.

#### **RADON TEST RESULTS**

Mr. Alfano read the results of the Radon test that were completed by A-Z Tech. Only one location, the basement of the municipal building tested 4.3pCi/L over the EPA recommended action level of 4.0 pCi/L. Their suggestion was wait 30-60 days and have it retested and if the results are high again we will do something to mitigate it.

#### **FILL VACANCY ON RECREATION AUTHORITY BOARD**

Motion by Mariscotti/Difilippo to appoint Pastor Rodney Johnson to fill the remainder of the vacated by Peter Letourneau on Rec. Authority Board carried on a roll call with all members voting yes.

#### **REMOVAL OF TREE FROM PAPER ALLEY**

Motion by Mariscotti/Frank to pay Scott’s Tree Service \$900.00 to remove tree in alley between Hillcrest and Pennsylvania on borough right of way carried on a roll call with all members voting yes.

#### **RECREATION AUTHORITY LSA -2019 PROJECT – MECHANIC STREET**

Motion by Maddiex/Mariscotti to pay Plavchak Construction via RAWC for a total of \$48,377.80 from LSA grant carried on a roll call with all members voting yes.

### **BOROUGH ADMINISTRATOR – DR. MARTIN**

#### **UPDATES-**

Dr. Martin talked about speaking with Kerry Fox from the Redevelopment Authority to do the final inspection on the Liberty Circle upgrade project. It is completed and seems to be compliant with the drawings with the exception of some planting that cannot be completed until the winter season is over. Mr. Fox indicated to Dr. Martin that he was happy with what he saw and that the Redevelopment Authority would move forward with paying, unless the Borough posted an objection. Dr. Martin said he saw no reason to object. Dr. Martin said that he is working on something along the lines of a Spring “re-dedication ceremony” of Liberty Circle area as a Veterans Park and in speaking with Penn West University, they said that their ROTC program would makes themselves available. He has also arranged with the Mon Valley Academy to present a youth fife and drum corps, if we want to move forward with this to take place on Memorial Day. He said he hasn’t been able to reach the person in charge at the Roscoe Legion to see if they would send a firing squad. Memorial is tough because most of the veteran programs are busy on that day with other festivities.

**SOUND SYSTEM-**

Motion by Maddiex/Frank to purchase pavilion sound system for \$10,348.00 from the gaming revenue carried on a roll call with all members voting yes.

**PUBLIC HOUSING – Mr. Bittner****TRANSFER OF FUNDS**

Motion by Bittner/Maddiex to move \$10,000 from the General Fund Account into the Demolition Account (overage in zoning permits) carried on a roll call with all members voting yes.

**MR. GARLOWICH TO DO ONLINE TRAINING CLASS**

Motion by Bittner/Glab for Mike Garlowich to attend online class “The Limits to Zoning”- March 23<sup>rd</sup> from 6:30-8:00 costing \$25.00 carried on a roll call with all members voting yes.

**PUBLIC WORKS- Mr. Frank****2023 PAVING PROJECT:**

Mr. Frank spoke about the 2023 paving project. He states that there have been changes made to the list and a significant price. Motion by Frank/Maddiex to table the 2023 Paving Project carried on a roll call with all members voting yes.

**PUBLIC SAFETY- Mr. Difilippo****HIRING F/T OFFICERS:**

Motion by Difilippo/Maddiex to hire Michael Schmittle as Full Time Officer with a probationary period of 180 days and according the CBA carried on a roll call with all members voting yes.

Motion by Difilippo/Frank to Tristan Cooly as a Full Time Officer with a probationary period of 180 days, will need Act 57, according to the CBA ,physical, and his available start date of March 20<sup>th</sup> 2023 carried on a roll call with all members voting yes.

**HANDICAP PARKING REQUEST:**

Motion by Difilippo/Maddiex to approve Handicap Parking Request for disabled veteran at 236 Sixth Street carried on a roll call with all members voting yes.

**CAMERAS:**

Chief Smith states that the cameras are not operational yet. When he talked to Craig Bonari earlier in the morning he said to expect them to be ready by Wednesday (March 15<sup>th</sup> 2023).

**FINANCE-Mr. Glab****RETAIN OFFICER NUNLEY AS PART TIME OFFICER**

Motion by Glab/Maddiex to retroactively retain officer Nunley as a Part Time Officer carried on a roll call with all members voting yes.

**PAY MONTHLY BILLS**

Motion by Glab/Maddiex to pay the monthly bills as presented carried on a roll call with all members voting yes.

**PUBLIC HEALTH- Mr. Mariscotti****WIDMER ENGINEERIG INVOICE**

Motion by Mariscotti/Difilippo to pay Widmer Invoice #22301019 in the amount of \$7,007.50 to carried on a roll call with all members voting yes.

**COMMUNITY DEVELOPMENT – MR. Maddiex**

**UDATES:** Mr. Maddiex brought up concerns from last months meeting from a Ms. Bateman regarding stops signs on Pennsylvania Ave. and he talks about asking Chief Smith to make a

recommendation and his reply was that he recommends that his officers do more patrolling out there and traffic enforcement and if it is permissible to put in removable speed bumps.

### **JUNIOR COUNCIL MEMBER-Kai Vanderlaan**

Mr. Vanderlaan listed upcoming opportunities for California Area High School students. There is a “Law Day” contest available for students to apply or send in submissions. It can be an editorial essay, creative arts project, or something to do with a “Peeps Box”. The theme is Cornerstones of Democracy – Civics, Civility and Collaboration.

There was an announcement for female students being able to apply for the “Coal Queen” would involve presentation of a talent, an interview, and dress attire.

There will be an Aviator Open House, hosted by the Laurel Highlands Aeronautical Academy at the Community College of Beaver County. They will go over different areas of study in that particular field and give advice. Free breakfast and plane ride for three students interested.

### **MAYOR’S REPORT- Dr. Stetar**

No Updates

### **ENGINEERS REPORT – MR. EBY**

#### **GUYER BROTHERS CHANGE ORDER**

Motion by Glab/Frank to approve change order from Guyer Brothers for flaggers for \$28,500.00 carried on a roll call with Mr. Alfano, Mr. Bittner, Mr. Frank, Mr. Glab, Mr. Maddiex, and Mr. Mariscotti voting yes. Mr. Difilippo voted no.

#### **GUYER BROTHERS PAYMENT APP #3**

Motion by Maddiex/Mariscotti to approve payment #3 to Guyer Brothers in the amount of \$464,092.67 carried on a roll call with all members voting yes.

#### **GUYER BROTHERS SUBSTANTIAL COMPLETION**

Motion by Bittner/Difilippo to approve Substantial Completion of the Guyer Brothers on the 88 Sewer Project carried on a roll call with all members voting yes.

#### **WESTMORELAND CONSTRUCTION GROUP- PYMT APP#1**

Motion by Difilippo/Mariscotti to approve payment #1 to Westmoreland Construction Group in the amount of \$7,910.00 for the cost performance bond carried on a roll call with all members voting yes.

### **SOLICITOR’S REPORT – MR. AGRAFIOTIS**

Mr. Agrafaiotis states that he received information requested for centerline description and a map for a portion of Promise land Drive. This will have to be reviewed and if everything is in order they will have the ordinance ready to advertise for the April meeting.

Mr. Agrafaiotis is working on changes to the sewer ordinances and will have a draft of that next meeting.

Mr. Agrafaiotis talks about the completed SRO Agreement and Invoice being sent to the school and everything should be complete on that. Ms. Evans stated that the invoice has not been paid yet. Mr. Agrafiotis said that he will send them a reminder.

Mr. Agrafiotis stated we have the signed agreement to purchase the property next to the borough building and the closing should be mid April

Mr. Agrafaiotis said that he has completed the Amended Civil Service rules and will have them for committee meeting in April.

### **OLD BUSINESS**

### **NEW BUSINESS**

## **ACCEPT RESIGNATION OF OFFICER BRIGHTON**

Motion by Difilippo/Maddiex to accept the resignation of Officer Brighton effective March 19<sup>th</sup>, 2023 carried on a roll call with all members voting yes.

## **APPROVE SIGNING 2022 CHAPTER 94 REPORT**

Motion by Frank/Mariscotti to approve signing Chapter 94 report carried on a roll call with all members voting yes.

## **RECOGNITION OF CITIZENS**

### **Janet Bateman:**

Ms. Bateman brought up a question concerning the ordinances being on the borough website. She said that they are “no longer on there” regarding recycling. Ms. Evans assured her that there is a whole list of every ordinance on the website. She was assisted by Mr. Frank to find what she is looking for. She talked about accounts receivable as far as citation, permits, etc. and stated that there was no longer a list on the website that showed how much money was brought in. Mr. Maddiex stated that there is a weekly report that is given to Dr. Martin that covers that information. But those reports are not given out to the public but they are given to the council members. Ms. Bateman talks about the garbage in town and says that it has “somewhat” been cleaned up, except on the corner of Pennsylvania Ave. and Wood Street. She talks about a situation where school bus was coming down Wood Street, the wind was blowing and garbage was blowing onto the street and cars were trying to dodge the boxes and garbage. She is concerned that someone will get injured or in an accident due to the garbage flying out of the dumpster at that location. The dumpster lid is open and causing garbage to fly out. She also brings up garbage on residents’ porches that blows into the street. She says that it “makes us look like a garbage dump.” Ms. Bateman says that the garbage cans are supposed to have lids and that none of the cans in this town use them. She suggests that the dumpster on Pennsylvania and Wood be looked into because it’s a school bus stop, and kids are walking past there daily.

### **Benjamin Filek:**

Mr. Filek introduced himself to the room. He talks about his concern about the paper alley ways that are borough property that are typically maintained for Emergency access. His concern is that this is not being address routinely, but since the hail storm it is now an issue. Mr. Filek talks about a “biohazard” on Sixth Street to the left of his house. There is a 5<sup>th</sup> wheel trailer there that houses stray cats and garbage everywhere. He stated that he addressed the issue with Chief Smith and Zoning Officer to get it moved off of the street. The trailer has been there for 4 years, he also stated that he agrees with Ms. Bateman on her topics of concern. Mr. Bittner stated that the situation is being handled at this time.

### **John Smith:**

Mr. Smith introduced himself, and stated where he lives on McCrory Lane. He said that he has incurred \$8,716 in replacing sewage lines, find the tap. He was under the impression that because of the one-call, California Borough would have marked where the sewer lines were on his personal property. The sewage line was hit, and needed replaced. Ms. Santo was at the property three times to assist. He spoke about the original issue with his lines backing up. He had a dye test completed in 2019. Mr. Eby determined that the issue was on the resident’s personal property. Mr. Smith said that there was never a marking for where the sewage tap in was. Mr. Eby stated that if the one call is not placed correctly then it wouldn’t have been marked. Mr. Smith brought up an issue between the California Street Commissioner and his contractor with his wife present.

## **ADJOURNMENT**

Motion by Bittner/Mariscotti to adjourn carried with all members present stating aye.