

DECEMBER 21, 2015 COUNCIL MEETING MINUTES

The December 21, 2015 Council Meeting was called to order at 7:39 P.M. in the Council Chambers at the Municipal Building.

APPROVAL OF AGENDA ITEMS

Mayor DeLuca – Good Evening, we will call this meeting to order. We are going to delete Appointments and Ordinance #2015-2579 will be deleted from the Agenda, the rest of the Agenda will stand as presented. Will you please stand for the Pledge of Allegiance?

ROLL CALL

Mrs. Kuhn
Dr. Kincaid
Mayor DeLuca
Mr. Underwood
Mr. Palumbo

Also present were Manager Rayan, Secretary Sorce, Planning Director Blackwell, Engineer Minsterman, Solicitor Alexander, and Finance Director Schrecengost.

CITIZENS TO ADDRESS COUNCIL

Mayor DeLuca – Gerald Ingold.

Gerard Ingold – Good Evening my name is Gerard Ingold and I live at 712 Fifth Street and I have brought several questions. The last session I had raised a question regarding an occupancy permit for 705 Fourth Street. I wanted to know if that had been submitted and filed and I believe Chris verified that it had not been and I was curious to know what the action will be moving forward regarding this occupancy permit.

Moe Rayan – Chris Blackwell mentioned at the last meeting and verified that there were no occupancy permit applications filed with the Municipality, however, throughout the issue with the boat and other deficiencies on the property Code Enforcement went down there and cited the property owners. There is a bunch of citation letters out maybe it contains about eight to ten items of deficiencies. Of course the property owner was given time to correct any deficiencies and some were corrected. There are some outstanding items that need to be corrected. The individual did not come to the Municipality to obtain an occupancy permit so the next step is to file at the Magistrate's Office. That is where it is right now.

Gerard Ingold – I understand o.k. thank you very much I appreciate that.

Moe Rayan – you are welcome.

Gerard Ingold – my second question has to do with neighborhood sidewalks within the Municipality and I was unable to determine myself where the responsibility lies relative to maintenance for neighborhood sidewalks in residential areas and in addition to that responsibility for trees that would be planted between the sidewalks and the curbs. If I could get some clarification on that at some point not necessarily tonight I would like to learn more about that because I was not able to decipher what those requirements were by reviewing the Code.

Moe Rayan – o.k. we will get some information to you. Generally the sidewalks they are the responsibility of the property owner to maintain. Any trees or anything like that if they are in the right of way it will be the responsibility of the Municipality depending upon where it is situated on the right of way, anything outside the right of way belongs to the property owner.

Gerard Ingold – o.k. and trees to take it a step further that had not been maintained or had grown to such a size that they imparted the image to the sidewalks is that like a dual responsibility or is that a sole responsibility. That is really where I was going with that.

Moe Rayan – primarily the responsibility lies with the property owner.

Gerard Ingold – o.k. thank you very much and I would like to wish everyone in attendance tonight a very Merry Christmas and Happy New Year to you all and your loved ones. Thank you very much.

Everyone said thank you.

Andrea Getsy – I just want to talk briefly tonight about public notice of this Council Meeting and I had once before and I was really so pleased in October when I found the Agenda on the Web-Site. I thought this is good news that now we will be able to see it that way but when November came around it was not on the web-site and so now in December it is back on the web-site and I am happy for it and I just wanted to point out to you why it is so important. I brought with me just earlier this year when trying to find out what was going to be on the Agenda or when there was going to be a meeting. Because meetings although they are published to be the first and third Monday sometimes don't happen. You know like they didn't happen the Monday before the primaries. I don't know if it happened the Monday before the General Election and they don't happen only about once a month in the summer time. So how are people to know when things are going to happen or not? The Tribune Review is where you publish your notification and I will tell you it is very hard to find that in there and I have

attached and I will show you what it looks like and in fact one time I called the Tribune Review to see if I could find a publication of a notice and maybe it was the July meeting and I talked to the Librarian and she said she would do some research and I will get back to you. She called me back and she said it wasn't published. Well it was, it was it was in the Tribune Review and their own Librarian couldn't find it. So I think it is asking a lot of the citizens to find this thing. So what I am going to show you is what it looks like when it is published in the Trib and thank you very much and show you also this is what it looks like of course when it is published on line. It looks just like what we get here when we come to the meeting and we get to have it a lot sooner. The one that is published in the Tribune Review is published four days before the meeting. Although that may be kosher with the Home Rule Charter there is a provision in the Home Rule Charter that talks about making this Agenda available to the public seven days in advance. It may be available I don't know if you think it is satisfactory to say calling the Manager's Office is making it available but that really puts the burden on people to make calls twenty four times a year and it is not necessary. You really do have a decent website and it is very informative so I will just pass this out to you. So if you just turn to the second page then and you will see what it looks like in the Trib it is like nothing there is no information there and I know you have to pay for it and I know you have to do this as part of your obligations under the Charter but if you want to be citizen friendly please always put it on your web site put it whenever you get it seven days in advance so we have the opportunity to see when we come in here knowing what is going to be talked about. Thank you very much.

Moe Rayan – just for your information Mrs. Getsy the Agenda is available on Monday's seven days because that is the night it goes out to Mayor & Council delivered by a Police Officer. So the Agenda is available at the end of closing of the Monday prior to.

Mrs. Getsy – But what I am stating to you is sometimes we don't know when the meeting is so we don't know what meeting you are talking about so unless we know there is going to be a meeting.

Moe Rayan – the meetings are advertised the entire year in 2016 the meeting dates were advertised. Sometimes the cancellation for the Home Rule Charter just the Municipal Building needs to be posted stuff happens that the meetings are cancelled, weather related issues, etc.

Mrs. Getsy – but you have that website that gives instant information to people right of way.

Moe Rayan – correct and I am not sure why it wasn't posted in November.

Mrs. Getsy – it wasn't posted all year. It was posted the first time in September or October and maybe December. I think maybe only two times this year so I am saying take advantage.

Moe Rayan – prior to that we didn't put it on the web site.
Mrs. Getsy – thank you for doing it now.

Moe Rayan – somebody was asking and I was directed to put it on.

Mrs. Getsy – I did, I did so when it didn't happen last month I was worried I said maybe they only are going to do it once in a while.

Moe Rayan – I am going to have to find out why it wasn't posted.

Mrs. Getsy – We would like to depend on that. Thank you.

Moe Rayan – just for your information it is available that Monday at the building.

Mrs. Getsy – I know it. I don't want to run up here. Thanks.

Chris Miller – I am the other Chris here tonight. Chris Miller – 109 Garlow Drive. Can everybody here me? When I first asked to speak tonight we hadn't received a response to our petition that we had given to Mr. Rayan on October 28 but last week we did get our letter it was in our mailbox and it said that he would give us a January date for our hearing that the petitioners had asked for and we thank you for giving us that. Do you have a date yet?

Moe Rayan – I don't. It probably is going to be sometime and of course with the Holidays coming right now it will be in January as I mentioned in my letter and that letter I think I issued that letter to you folks on December 3 it wasn't last week.

Chris Miller – well our treasurer picked up the mail on Friday and it wasn't there.

Moe Rayan – it is dated December 3 and that is when it went out in the mail.

Chris Miller – so thank you and if you would let us know as soon as possible.

Moe Rayan – I will.

Chris Miller – o.k. thank you. I had intended to ask questions about what we would be asking at the hearing I won't get into all those questions but I did notice in the Progress this week that the Municipal Building actually is going to be torn down, is that correct?

Moe Rayan – I am not sure what is in the Progress but we had intended to demolish the Penn Hebron School.

Chris Miller – yes but it says the Municipal Building I believe it says.

Moe Rayan – at some time in the future but not right now.

Chris Miller – some of the questions regarding that then if it is going to be torn down if you could answer these at our hearing if the Municipal Building is torn down we would request a green area like a park or something be in its place and also we would want to know what happens to the monuments that are there and the bricks with the family names on them.

Mayor DeLuca – they are moving to the new Municipal Building.

Chris Miller – o.k. and I am assuming that we will have some hard figures about the cost of the new building when we have this hearing.

Moe Rayan - yes, yes.

Chris Miller – if you have to cancel this January meeting that is coming up for our hearing if you would let us know as soon as possible because we have to let the petitioners know because we are going to ask them to come to that meeting.

Moe Rayan – currently before I can propose a date to Mayor & Council I have to meet with the architect and that is going to happen between now and the 19th of January which is the next Public Meeting. There is a Public Meeting on the 4th and that is the Re-Organization Meeting which there is no business conducted at that meeting the following business meeting is the 19th where I can discuss that project with Mayor & Council and based upon what direction I get from Mayor & Council I will schedule the meeting and that time I will advise you so it won't be probably prior it wouldn't be prior to the 19th of January.

Chris Miller – I am actually going to be out of town from the 23rd to the 30th but there are other people who can attend if it happens to be then.

Moe Rayan – o.k. and relative to your question what is going to happen with this building there is a couple of discussions that are going on relative what is going to happen here and other ideas are being kicked around but at this point they are just wish list ideas so to speak.

Chris Miller – thank you very much and happy holiday to all of you.

APPROVAL OF MINUTES

Mr. Underwood made a motion to approve the November 23, 2015 Council Meeting Minutes, December 7, 2015 1st Budget Hearing Meeting Minutes and December 7, 2015 Council Meeting Minutes.

Mr. Palumbo seconded the motion

There being no further discussion the motion was approved by a 5-0 vote.

EXPENDITURES

Dr. Kincaid made a motion to approve the Expenditures of December 21, 2015. Journal Vouchers are 13-16 - \$4,041,029.03, C.D. Requisitions – 0, \$0.00, Master 33006-33157 - \$854,199.79, Grand Total of \$4,895,228.82.

Mr. Underwood seconded the motion.

Mrs. Kuhn abstained from Check # 33109 Don Kuhn Auto Body for \$600.00 yes to all others.

There being no further discussion the motion was approved by a 5-0 vote.

RESOLUTIONS

Mr. Underwood made a motion to approve **Resolution No. 2015-068** awarding a Contract to Gregori Construction, Inc. for The Thompson Run Interceptor Protection Project in The Total Amount of \$119,000.00.

Dr. Kincaid seconded the motion.

There being no further discussion the motion was approved by a 5-0 vote.

Mr. Underwood made a motion to approve **Resolution No. 2015-069** – rejecting all bid proposals received on December 8, 2015 for the demolition of The Penn Hebron School.

Dr. Kincaid seconded the motion.

Moe Rayan – basically after the review of the bids received for the Demolition Project of the Penn Hebron School through the engineer's review and our purchasing department it was discovered that some of the calculation sheets for the Plan B were inadvertently placed inside the bids and they were the old quantities. After a couple different site visits the quantities were revised however some of the bid packages contained the old quantities and therefore it disqualified the bidding. Gateway assumed

all responsibilities for that and all cost so the additional work is being performed at their cost no cost to the Municipality.

Chris Miller – Mr. Rayan what are the quantities you are talking about.

Moe Rayan – asbestos removal and other field identified quantities from asbestos.

Chris Miller – like you are saying old estimates on that were included in the new bids.

Moe Rayan – right what happened during the environmental reviews they came up with a quantity and after reviewing the building additional review they found a couple of holes they had to crawl under and it was discovered additional quantities or additional asbestos that needed to be removed so some of the bid tabulation sheets contained the prior quantities for the asbestos removal and some of the other documents contained the revised quantities after the field visit so you had bid documents that were sent out five of them contained the old quantities and the rest of them contained the new quantities which provided a disadvantage for those folks that had the old quantities not knowing what the new ones were and vice versa therefore it was disqualified.

Chris Miller – are you refunding?

Moe Rayan – yes all the documents were forwarded to all the vendors that were on sight that came in and picked up specifications at no cost to the vendors and the Municipality. I mentioned Gateway assumed the responsibility in all.

Chris Miller – o.k. thank you.

Mrs. Kuhn – I just want to tell Rick that we do appreciate the fact that you stepped up without us even asking to pay for the error so thank you and thank Ruth Ann at Gateway.

Rick Minsterman – you are welcome.

There being no further discussion the motion was approved by a 5-0 vote.

Mr. Palumbo made a motion to approve **Resolution 2015-070** – authorizing Fedele Insurance Services Inc. to bind The Municipality's 2016 Insurance Coverage.

Mr. Underwood seconded the motion.

Chris Fedele gave a brief overview.

Dr. Kincaid – I guess what I fully don't understand I think you said it was less than a 5% increase but then I see a plus maybe that is just the way you do it 4. something percent. What attributes to this Chris?

Chris Fedele – we are at 4.8 percent total. The insurance is based upon a combination of payroll, budget expenditures and property values. There was a 3% increase in payroll, a 3.5% increase in property values the state experience mode went up 7.5% and we ended up with nine new vehicles this year and two or three new pieces of equipment this year and we kind of pushed the values up on all of those.
(inaudible)

Moe Rayan – I will give a little bit of explanation of that the increase resulted in a \$59,000 increase in what we paid from last year that translates into a 5% increase and what Chris was saying that it came under five percent which it would be a negative sign in front of it but it is not it is an add, \$59,000 in addition to what we were paying this year we will be paying in 2016.

Mrs. Kuhn – I just wanted to note under the Workman's Compensation Chris that the Municipality continues to enjoy a 5% premium reduction for having a State Certified Safety Committee which in 2016 the Municipality is saving \$44,895.00 so that is a plus.

Chris Fedele – We religiously meet here every third Wednesday I believe it is.

Mrs. Kuhn – well you are saving the tax payers \$44,895.00 so I thank you.

Chris Fedele – you have a good committee a very active committee.

Mrs. Kuhn – and the other was congratulations to you Chris because as you stated in here the premium was to be 8.9% higher this year and it was through your negotiations that it went down to 4.8%.

Chris Fedele – You just get tired of hearing from me after a while.

Mrs. Kuhn – well thank you very much I appreciate it.

Chris Fedele – thank you I appreciate the business.

Moe Rayan – I would like to ask Chris to mention to the Firemen the additional paperwork that was required from us to submit to Arch our Fireman's Insurance each time the department was required to submit a roster with every individual their name, drivers' license and date of birth and everything like that. That is the first time we had to do that. Just to make a note for the gentlemen sitting here tonight.

There being no further discussion the motion was approved by a 5-0 vote.

ADJOURNMENT

Mayor DeLuca entertained a motion to adjourn. Like I said we will pass our Budget December 31, 2015 at 3:00 P.M.

Dr. Kincaid made a motion to adjourn.

Mr. Underwood seconded the motion.

The meeting was adjourned at 8:11 P.M.

DATE

MAUREEN M. SORCE
MANAGER'S SECRETARY