

**BOROUGH OF TARENTUM
ALLEGHENY COUNTY, PENNSYLVANIA
BOROUGH COUNCIL
REGULAR COUNCIL MEETING
6:30 P.M. AUGUST 17, 2015**

10 587

1. CALL TO ORDER/PLEDGE OF ALLEIGANCE

2. ROLL CALL

Joe Davidek
Erika Josefoski
Tim Firko
Pete Varos
Eric Carter
Mike Gutonski
Raymond Kerr
Mayor Magnetta
Solicitor Clark
Chief Vakulick

3. MOTION TO APPROVE MINUTES FOR THE JULY 20, 2015 COUNCIL MEETING

Motion to approve by Councilman Davidek, seconded by Councilman Kerr, RESOLVED to approve the minutes of the July 20, 2015 council meeting with unanimous votes by council.

4. CITIZEN'S COMMENTS

REMARKS: Jim Bowser, 103 West 8th Avenue, Tarentum, to Mayor Magnetta, remarking that the news stated the Mayor has taken care of his taxes.

CHIEF If you have a point of business, state it. If not, please sit down.

VAKULICK

PRESIDENT Please keep the meeting respectful.

FIRKO

REMARKS: Gina Lambda, 512 East 6th Avenue. Last month's meeting brought up that a religious group wanted to hold an event every Friday in the park. Suggestion to pass the rule that only entities that are directly related to the Borough can hold an event in the park twice a month. Seems that you wouldn't be supporting any religion if you allow them to only hold it twice a month.

20 585

SOLICITOR

CLARK I researched the issue and due to the Constitution, we cannot exclude them, nor can we give them anything carte blanche. The council can address your suggestion on whether to make it a blanket rule to limit events to 2-3 times per month.

REMARKS: Mary Jo Cansick, on behalf of her mother who is 91 and lives on 1315 Alter Avenue in Tarentum. I've been here many times to address the adjacent property, which is an eyesore, and I would like to have it cleaned up. Was previously told that it was private property and nothing could be done, but now the property owner has passed. I work in Tarentum and see at least two properties, 204 Lock Street and 619 or 621 2nd Avenue where the Borough does the grass, and if the Borough could do the grass next to my mother's house, wouldn't that be the same? Previously I spoke with Mr. Rossey about the grass and also about a tree limb that fell in my mother's yard, but he said that since it was private property, it could not be removed by the Borough. I would also like to buy the property, which was assessed at \$18,000, but it's not that.

MANAGER

GUTONSKI Yes, it absolutely would be the same. If you call down here, I will be happy to speak to you about this. You would be able to purchase the property at \$4-5,000. It would be through the adjacent edge program. The property would be condemned and go to the county. You would pay whatever the property is worth plus whatever would go to us and to the school district, plus cost of paperwork.

COUNCILMAN

KERR It's a long process, but when you go through it, you will get a clean deed to the property. Right now we're in the process of hiring a new code enforcement officer, who will be onboard the process from the beginning.

COUNCILWOMAN It would be easiest for your mother to purchase the property since it's adjacent to her home.

JOSEFOSKI

REMARKS: Murry, 1st Avenue, in defense of the Mayor, all someone needs to do is go to the Allegheny County Web site to find out who actually owns a piece of property.

Also, I believe there is a mistake where it says the primary account balance of 12/31/11. Are those the water and electric accounts of 2011?

MANAGER Yes, that was the water and electric accounts of 2011 and what was in there.

GUTONSKI

REMARKS Paul, 917 4th Street, a lot of changes. In the past there have been audits when there were personnel changes, which protects the person leaving and the person coming in. I want to know if that's what you've done.

MANAGER

GUTONSKI We just finished up the audit for 2014. 2015, I met with the accountant and with the ladies in our office. I have a firm grasp of what's in our accounts, and I'll be giving a report here shortly.

5. PRESIDENT'S REPORT

10:50

PRESIDENT

FIRKO There are a lot of things going on in the Borough that the council is working on and making plans to move forward positively. One project the council is working on is possible refurbishment of the water tanks.

6. MAYOR'S REPORT

MAYOR

MAGNETTA Calls for service for July 2015: Calls for service 472; action necessary 314; no action necessary 158; arrests 24; Citations issued 65; Total accidents 15; Accidents with injury is 6; Fines collected \$2,617.33. Fines collected for the year \$29,770.71.

Parking tickets issued 23.

The 100th Anniversary of the Grandview School will be on Saturday, August 29, 2015, from 1:00 to 5:00 p.m. One of the organizers, Cindy, is here, and I think it's going to be a very good event. Everyone in the Borough is invited to attend, especially if you have attended and graduated from Grandview School.

*****NO POLICE CHIEF'S REPORT THIS MONTH*****

8. MANAGER'S REPORT

REMARKS:

MANAGER

GUTONSKI As of 8/11/15, our disbursement account contains \$191,000. This account is from where we pay all of our bills for utilities and whatnot. For the Rec board, we have a little over a thousand. Our electric fund has \$40,000. The water fund, has \$48,000. The bond for upgrading the water plant and storage tanks has \$833,257.75 Our EPA sewer account, which was mandated by the EPA to do infrastructure work, such as separating storm water from sewage, was closed for a time, but we reopened it and we have \$78,000 in there. We have the fire escrow account, which is for the volunteer fire departments, which has \$30,000.

These are the essential accounts for the money, which totals a little over a million dollars.

In 2011, the water account had \$261,000 in it and the electric account had \$176,000 in it. So you know what we had and what we have now. Also, the Borough owns its own utilities and brings in an income from that, so we are much better off than many areas. We don't just have to rely on real estate taxes; we have water and electric as well. It would be very difficult for the Borough to go broke.

When I took over this position on the 3rd, I started getting together some paperwork, one of which is a list of projects that should have been started and bills that should have been paid. One is a sanitary sewer on 2nd & Wood Street. The price was \$37,000, but that was a year and a half to two years ago, so the price may have gone up since then. We tried to get this money through a grant, but the grant failed, and we need to get this project done. We have a 12-inch water line that runs under West 7th Avenue that's in deplorable condition. We have been trying to fix this for a while but have not had the money to do so. It's about an \$80,000 project that needs to be done, and I have received word from PennDOT that they are, essentially, tired of coming here to repair the bridge when it's essentially a problem with that water line that needs to be fixed.

We have all new water meters and electric meters for our system that were installed about three years ago. The company never received their final pay and have been asking for it. We're at around \$140,000 for fees and penalties because this bill was never paid. I'm in the process of negotiating with the president of the company to get this bill down to a workable amount.

The area around the pump house for the Borough should be cleaned out and dredged every 5-8 years. We're at the point now where it hasn't been done for approximately 12 years, and it's critical that this be addressed. Jeff Adams at the plant has asked for this to be done and it wasn't.

The street scape is in its final phase and looks beautiful, but final engineering fees were never included in the grants and that means the Borough will be responsible for these final engineering fees, which total about \$10,000.

Another project that will also be addressed later is the rain garden, and approximately \$14, 579 worth of work has been done already to make the site ready for the rain garden.

Essentially, the Borough is in the hole for approximately \$316, 579.40 for work that needs to be done and bills that need to be paid. There were a lot of overages in these projects that fell beyond the scope of the grants, and it was left to the Borough to pay for these overages from its reserves, and that's where this debt comes from. We on the board have spoken with the Mayor and we are working on where we are going to get this money and how we're going to pay these bills. We are going to try to borrow some money from other accounts that we have and try to amend some ordinances to redirect some money.

9. SOLICITOR'S REPORT

10-13-15

REMARKS:

SOLICITOR

CLARK

Was finally able to get the deed in proper to all the parties for the parking lot on 6th Avenue. The deed was given to the manager, who will circulate it to all the parties for signature, and then it will be reported.

Also, regarding the personnel issues mentioned earlier, I gave my opinion regarding the audit to the auditor.

COMMITTEE REPORTS

A. ADMINISTRATIVE , EMPLOYEE RELATIONS, FINANCE COMMITTEE

Tim Firko, Eric Carter

1. RESOLUTION TO PAY JULY BILLS.

Upon motion by Councilman Carter, seconded by Councilwoman Josefoski,

RESOLVED, this Council approves the payment of the July 2015 bills.

Upon roll call, the resolution was adopted with five (7) affirmative votes.

2. MOTION TO ADVERTISE FOR CODE ENFORCEMENT OFFICER.

RESOLVED, upon motion by Councilman Carter, seconded by Councilman Kerr, to advertise for a code enforcement officer. Motion passed by a unanimous vote from all Council present.

REMARKS:

PRESIDENT

FIRKO

Some ideas have been noted, one of which is to hire someone as a part-time code enforcement officer while they get their schooling and certifications, and then they will automatically move on to be a full-time employee on the Borough's payroll when they obtain their certification. In the contract, we could note that if they leave, they will need to pay us back for the schooling.

MAYOR

20-593

MAGNETTA

I think we need to have some kind of contract in place because we're going to be spending so much money on schooling for this person, so if they leave, we will be right back to square one again.

COUNCILMAN

Do you know when the classes will be?

KERR

MANAGER

GUTONSKI

I did not look, but I know there are numerous times that classes will be held. By making this a part-time position and having the person attend the classes, that's going to show us that an individual is in it for the long-term and not just for the pay. It would also give the Borough some breathing room financially because we would not have to pay all of the fringe benefits for a full-time position right away.

PRESIDENT

This is just a motion that I would pass. We're not going to hire somebody tonight. In the meantime, we can look into classes and certifications.

FIRKO

COUNCILMAN

KERR

When we advertise, do we have to state that it's a part-time position initially, or will people assume it's for the full-time replacement?

SOLICITOR

CLARK

I think the best policy is to state it, and I also think that we should state in the ad exactly what our ideal candidate is, that way we don't waste our time or anyone else's time.

COUNCILMAN

DAVIDEK Could we advertise it as a part-time position with the possibility of leading to a full-time position?

PRESIDENT

FIRKO In the interim, if we find someone who is certified, we could hire them from there, if the council chooses.

B. WATER COMMITTEE

Joe Davidek, Pete Varos

1. MOTION TO EXPLORE THE POSSIBILITY OF REFURBISHING THE EXISTING WATER TANKS.

RESOLVED, upon motion by Councilman Davidek, seconded by Councilwoman Josefoski, to explore the possibility of refurbishing the existing water tanks. Motion passed by a unanimous vote by all council present.

REMARKS:

MANAGER

GUTONSKI Initially, this was not an option, but dealing with the lack of funds that we have run into, this may be the most cost-effective option to refurbish our existing tanks. We have reports on the three tanks, and all three are in poor condition. Compared to our initial plan, this may be a more viable option for the Borough. This is only to explore the project, not carry it out at this time.

2. MOTION TO ADVERTISE AN ORDINANCE TO AMEND ORDINANCE 11-02 OF 2011.

RESOLVED, upon motion by Councilman Davidek, seconded by Councilman Varos, to advertise an ordinance to amend the ordinance of 11-02 of 2011. Motion passed by a unanimous vote by all council present.

REMARKS:

2017-5-10

MAYOR What is ordinance 11-02?

MAGNETTA

COUNCILMAN

DAVIDEK It's dealing with the bond issue that we could use anywhere in the water department. It could be used for dredging of the intakes, water tanks, the previous unpaid bill mentioned for \$140,000. Those water meters were put in for \$70,000. Now the penalties and fees have pushed us past that up to \$140,000 and we need that money.

MANAGER

GUTONSKI We spoke with the bond counsel and we found verbiage in that ordinance that states that we can use that money for projects that deal with water. This could be used to repair that water line on 7th Avenue. This is an option for us.

MAYOR

MAGNETTA I want to know where this money is going to come from. There's water meters that haven't been installed yet and electric meters that haven't been installed yet, and this is running us into thousands of dollars. I don't know where you're going to get \$316,000 in this new budget.

MANAGER

GUTONSKI To explain, I spoke with the representative from this company, and we do have a contract with them, although I, personally, have never found one. He's going to provide me with the contract, and there's going to be a 20-year guarantee on those meters. There's wording in there that notes the amount of meters to be installed.

I think some of the meters you're asking about are the ones that need to be replaced. There are some meters that are not working correctly and need to be

replaced, so they are replacing them. We need to pay this bill. I don't know why this bill hasn't been paid; I wasn't here.

We don't have the money right now in the reserves to take on this bill. The money that would have gone toward this is in the streets.

11:53

PRESIDENT

FIRKO

Meeting with them, they seem receptive to knock some of the money off the bill and are willing to work with us. We are being open with the Borough and being accountable about where this money is going to come from.

UNIDENTIFIED

SPEAKER

Where is this money? If the original \$70,000 had already been allocated for this, where is it? Why can't we get an answer as to where exactly this money is and why hasn't it gone to this project, and now we're into it for double?

MANAGER

GUTONSKI

All of my comments are based on facts and figures. When this project was originally started for the water tanks and water treatment, we were already in the hole and did not have the money, but the project was started anyway. If you start out with not enough to complete the project, you're not going to have enough to finish it. We are trying to find a way to finish it.

COUNCILMAN

KERR

Is it possible to amend this and put a cap on it? We're talking about \$833,000. What's going to stop future council from going in there and taking the money set aside for this project and paying for other things? Can we cap it?

MANAGER

This gives you two things to use this for, one being this bill, the other being the water line on 7th Avenue.

GUTONSKI

MAYOR

MAGNETTA

It doesn't say that in the ordinance. And where did the money go? The water fund, as of 12/31/11, was \$261,499.17. It's down to \$48,787 now. The electric fund was \$176,000. Now it's down to \$40,000. Where did this money go?

MANAGER

GUTONSKI

That all went into the street scape, plain and simple, and I have the figures here to show it. One thing to remember is that the bill from LB Water may be negotiable and we may be able to bring it down to half of that.

COUNCILMAN

KERR

That's going to leave us with approximately \$600,000. We should look at a worst case scenario. Worst case is \$170,000 plus \$80,000.

MANAGER

GUTONSKI

The cost to refurbish the large tank would be \$400,000 and the smaller tank \$300,000. My initial thought was to get these projects taken care of and refurbish the big tank and the small tank, get our act together over the next few years, get the money in the reserves that's supposed to be in the reserves, and complete the third tank. We may be able to put in new tanks where the existing tanks are, after speaking with Jeff Adams, but we will not know for sure until we speak to our engineers.

MAYOR

MAGNETTA

I just don't know where we're going to come up with another \$400,000 and \$300,000. This is a small town with a lot of older people in it. They can't pay that in taxes. When I came in, I inherited a lot of problems. Everyone was asleep here when this was brought on, and now it's a problem. That land they were going to move the tanks to is probably going to cost another \$100,000 to clean it up.

MANAGER

GUTONSKI

The site that was purchased to put the new tanks on is basically a garbage dump, with dozens of old tires, old boats, old cars, and septic tanks. It would definitely run into between \$50-100,000 to clean it up.

COUNCILMAN

KERR

If we throw in the dredging, what we owe LB Water, and the West 7th Avenue water line, we're looking at spending \$275,000 out of the \$833,000, which leaves us roughly \$558, 275.82. That's a big chunk.

SOLICITOR

CLARK

I think we should pass this. If we're going to have a cap on it, it'll give us more time to see if the numbers are more or less accurate and to better inform the citizens of what's going on.

3. MOTION TO ADVERTISE TO HAVE INTAKE AT PUMP HOUSE DREDGED. (pg 35)

RESOLVED, upon motion by Councilman Davidek, seconded by Councilman Varos, to advertise to have the intake at the pump house dredged. Motion passed by unanimous votes by all council present.

4. MOTION TO ADVERTISE BIDS TO REPAIR SEWER LINE AT 2ND & WOOD STREET AFTER GIBSON THOMAS DRAWS UP SPECIFICATIONS.

RESOLVED, upon motion by Councilman Davidek, seconded by Councilman Varos, motion to advertise bids to repair sewer line at 2nd and Wood Street after Gibson Thomas draws up specifications. Motion passed by unanimous vote by all council present.

REMARKS:

20-590

MANAGER

GUTONSKI

According to the ordinance we have through the sewage authority, we can use that money to make repairs to the sewer system, so we can borrow money. Fortunately, we have money that was put into that account. We do have the money under that account to pay for this project.

*****NO ELECTRIC COMMITTEE REPORT THIS MONTH*****

D. PUBLIC SAFETY AND CIVIL SERVICE COMMITTEE

Tim Firko, Erika Josefowski

REMARKS:

In June, Highland Hose reported 13 fire calls, representing 261 man hours. 2 training sessions representing 52 man hours.

PRESIDENT

FIRKO

For Eureka Fire Rescue, 32 fire calls representing 85 personnel hours.

EMS, 250 calls representing 982 personnel hours.

Total company training hours for the month are 22.

Being a fireman myself, I know, and we all know that having a good emergency response benefits us all.

*****NO PROPERTY & ZONING, LIBRARY & HEALTH COMMITTEE REPORT THIS MONTH*****

F. STREETS & SANITARY SEWERS COMMITTEE

Eric Carter, Tim Firko

1. MOTION TO AWARD THE HANDICAP RAMPS INSTALLATION TO RON GILLETTE INC. IN THE AMOUNT OF \$8,500.00.

RESOLVED, upon motion by Councilman Carter, seconded by Councilman Kerr, to award the handicap ramps installation to Ron Gillette Inc. in the amount of \$8,500. Motion passed by unanimous vote by all council present.

G. PARKS & RECREATION COMMITTEE

Erika Josefowski, Greg Schmitt

1. MOTION TO PAY STEEL CITY SCAPES \$14,579.40 FOR COMPLETED RAIN GARDEN.

RESOLVED, upon motion by Councilwoman Josefowski, seconded by Councilman Varos, to pay Steel City Scapes \$14,579.40 for completed rain garden. Motion passed by unanimous vote by all council present.

REMARKS:

MAYOR

I think #2 should be #1. I question the payment of \$14,000.

MAGNETTA

COUNCILWOMAN

JOSEFOSKI

We still have paperwork to get together. We are not moving ahead yet. It was supposed to be completed last year, but all that has been done so far is that a pipe has been put in from the marina, and a grade put in to remove the curb around one island. The EPA is coming back to do another inspection, but they didn't say when.

COUNCILMAN

DAVIDEK

I've been down there and it looks like a garbage dump. If this is not something that's been mandated by the EPA, then I suggest putting black top around there, fill it in, and let it go, abandon the project all together.

COUNCILWOMAN

JOSEFOSKI

That is one way to go about it, to abandon it. Another would be to continue with the project. Plan C would be to work with what we have and maybe fill it in with some rocks or something so we're using what we've started. As to why we've started this, I still don't know. I am new to this, so I am still in the process of finding that out. We have to pay them for what we've already done, and then we'll figure out what we're going to do from there and keep everyone informed.

MAYOR

MAGNETTA

We can't find any official documents on this to let the citizens know why this started.

COUNCILWOMAN

JOSEFOSKI

The Generations church group that asked for permission last month to use the park on Fridays, I met with them and their leader said there are really no specific days, but any kind of Friday would be fine. In speaking with Solicitor Clark, I know that we cannot give that to them carte blanche, but because of the Constitution, we also can't not allow them.

SOLICITOR

CLARK

It's the two parts of the Constitution dealing with religious freedom. We, as a council, cannot establish a religion, and we also cannot stop them, because we would be infringing on their right to organize and practice their religion freely. They should request some specific dates on when they want to use it, and we should possibly take the audience's advice on how many times a group may be allowed to use it and think about putting a blanket policy in place.

COUNCILWOMAN

JOSEFOSKI

He said they would be flexible if we can get back to him with a specific number of days and is appreciative of anything we can do for him. It is okay to discuss this next month.

Also, I have a letter from the president of the Rec board. The Rec board's concert will be Wednesday at 7:00 p.m. and they would like everyone to go down as it's the last one of the season. They've had a good turnout so far.

The 100th year celebration, as the Mayor already mentioned, will be on August 29th from 1:00 to 5:00 and is an open house.

The Rec board is also busy planning the fall festival, which will be held from September 24 through the 26th from 6:00 to 10:00 p.m. Thursday and Friday, and Saturday from 12:00 to 10:00.

*****NO AVN/COG COMMITTEE REPORT THIS MONTH*****

*****NO KOZ COMMITTEE REPORT THIS MONTH*****

REMARKS:

MANAGER

GUTONSKI

Supposedly there is one individual who is interested in purchasing the land we mentioned previously and using it for a dirt bike trail. Just a thought.

MAYOR

Well, tell him no.

MAGNETTA

*****NO REDEVELOPMENT & REVITALIZATION COMMITTEE THIS MONTH*****

11. CITIZEN'S COMMENTS

REMARKS:

(p. 44) 117 Garden Street, why didn't the zoning officer go after the property that you say is a dump that was to be used for the water tanks? If he had gone after that site with the same vigilance he had gone after and cited me, we wouldn't have this issue. Does the Borough still have a clean & lien ordinance? Why wasn't it enforced?

MANAGER

GUTONSKI

I can't answer that. He was cited many, many times and was also put in jail.

COUNCILMAN

DAVIDEK

I think the members of the council may have taken too much of the information given by Mr. Tarentum for granted. In the December meeting minutes, I asked about the purchase of the land up on the hill, and the minutes say it was ready for construction. Now we find out that we can't.

CITIZEN

Another thing, with the fines that the zoning officer was writing up, did it cover all of his wages?

Also, there's such a thing as a cap 1 program line. Not this money or this money; you actually go borrow money from a bank, and it will be there in 5 years or 10 years.

It's my opinion that this Borough made a mistake.

MANAGER

GUTONSKI

I don't think we know that about the wages.

As to borrowing money, we cannot do that because of the financial situation we have been put in.

REMARKS:

(pg 46) Mary Jo. My address is Natrona Heights. When they put the black fence around Tarentum, why didn't they put it around the playground like they did the water park? I almost saw a little girl get hit by a car. I have my grandchildren down there and I worry about them.

MANAGER

GUTONSKI

I'm not sure why it wasn't done, but I do know it needs to be done. I am looking into that and I am also looking into some equipment.

REMARKS: Jeff Adams. I live in Fawn Township, but I work for the Borough. Please don't make the mistakes that have been made in the past, and start using the money to repair infrastructure in this town. You see it a bit now with the water line that needs to be replaced and the dredging that needs to be done. Please make wise decisions on where you're spending the money.

PRESIDENT Absolutely. And our decision will be shared with all citizens.

FIRKO

REMARKS: Citizen from earlier. The former Borough manager was elected to be Borough manager of another town. He was also elected to council. Does the Solicitor have an opinion as to whether he can be Borough manager in one town and be on council in this town?

Also, there's never enough agendas, so if you can print up an extra 10 once in a while, that would be helpful.

SOLICITOR

CLARK The general election is not until November, so until then, I think your question is moot and I will answer after November.

REMARKS: (p 49) Gina, East 6th Avenue. The parking lot next to the stadium, near the Dumpsters, do the people that work at Community Life pay for that parking?

MAYOR Yes, they do. That is permit parking.

MAGNETTA Just to say one thing to Mr. Troutman as the Solicitor mentioned to you, he's not been elected yet, and I think the people just need to stay tuned.

PRESIDENT

FIRKO Just wanted to mention that the agenda committee meetings will start on the second Monday. We will have a meeting on the 14th, an agenda meeting to see and set the agenda for the council meeting. We don't vote on anything and it's open to the public.

REMARKS:

Unnamed female citizen. We're going to be decorating the showcases up at the high school for the anniversary party, and I need a football. If anyone has an old football they don't need, I'd appreciate it. I have a basketball, but I need a football.

10-18-15

ADJOURNMENT

Motion by Councilman Davidek, seconded by Councilman Carter to adjourn. There being no further business to come before Council, the meeting of August 17, 2015 was unanimously adjourned at 7:46 PM.

Respectfully submitted by:



Michael Gutonski
Tarentum Borough Manager