

**BOROUGH OF TARENTUM
ALLEGHENY COUNTY, PENNSYLVANIA
BOROUGH COUNCIL
REGULAR COUNCIL MEETING
6:30 P.M. SEPTEMBER 21, 2015
6:00 P.M. EXECUTIVE SESSION**

10: 618

1. CALL TO ORDER/PLEDGE OF ALLEIGANCE

2. ROLL CALL

Joe Davidek
Erika Josefowski
Tim Firko
Pete Varos
Eric Carter
Greg Schmitt
Raymond Kerr
Mayor Magnetta
Solicitor Clark
Chief Vakulick
Michael Gutonski

3. MOTION TO APPROVE MINUTES FROM THE AUGUST 17, 2015 COUNCIL MEETING

RESOLVED, motion to approve by Councilman Davidek, seconded by Councilman Kerr, to approve the minutes of the August 17, 2015 council meeting with unanimous votes by council.

4. CITIZEN'S COMMENTS

REMARKS: Jim Bowser, 314 West 8th Avenue, Tarentum, to Mayor Magnetta, remarking about the Fall Festival being held in support of Summit Hose and the flyer that Mayor Magnetta sent out being on Borough letterhead, feels it should have been done privately or on Summit Hose letterhead. I think you should reimburse the Borough taxpayers.

REMARKS: MAYOR MAGNETTA

Summit Hose paid for all the mailings. I know what I sent out.

5. PRESIDENT'S REPORT

PRESIDENT FIRKO Busy month working with the manager and solicitor on many things, including finances. We have had 5 applicants for the position of code enforcement officer and we will vote on one tonight.

10-811

6. MAYOR'S REPORT

MAYOR MAGNETTA Calls for service for August 2015: Calls for service 495; action necessary 346; no action necessary 149; arrests 22; Citations issued 106; Total accidents 12; Accidents with injuries 3; Fines collected \$3,561.91. Fines collected for the year \$33,332.63.

Parking tickets issued 26.

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

8. MANAGER'S REPORT

REMARKS: MANAGER GUTONSKI

It will come up for a vote tonight to refurbish the water tanks that we currently have as we don't have the funds necessary to put in new ones. We're also working on getting two sewer lines repaired. We will discuss the rain gardens. Paving will start next week on Monday. The 4th Avenue Bridge project will start once the county approves the revision on the grant money, that project will begin. We have applied for some grant money to replace water valves, storm sewer inlets and replacing the water line on West 7th Avenue.

9. SOLICITOR'S REPORT

REMARKS: SOLICITOR CLARK

I've been working on a wide range of things, including some resolutions tonight in terms of real estate, and this will all come up in the meeting tonight.

COMMITTEE REPORTS

A. ADMINISTRATIVE , EMPLOYEE RELATIONS, FINANCE COMMITTEE

Tim Firko, Eric Carter

1. RESOLUTION TO PAY SEPTEMBER BILLS.

Upon motion by Councilman Carter, seconded by Councilman Varos, RESOLVED, this Council approves the payment of the SEPTEMBER 2015 bills. Upon roll call, the resolution was adopted with unanimous affirmative votes.

2. MOTION TO HIRE DANIEL FERRARI AS CODE ENFORCEMENT OFFICER.

RESOLVED, upon motion by Councilman Carter, seconded by Councilman Kerr, to hire Daniel Ferrari as code enforcement officer. Motion passed by a roll call vote from all Council present with six (6) affirmative votes and one (1) negative vote.

REMARKS: COUNCILMAN DAVIDEK

Will put a vote on this and also request that you call a vote by roll call.

REMARKS: MANAGER GUTONSKI

Requests specifics of the potential hire.

30-615

REMARKS: PRESIDENT FIRKO

Dan Ferrari is a US veteran, ex-police officer who has code enforcement exposure and has worked with district justices. He is from Freeport Rd. in Creighton. He is currently on a disability from police work from Oceanside, CA. Has an impressive background and has a level head.

There were 3 who had impressive backgrounds, yet Dan seemed rise above the other 2. I think he will fit in the Borough and serve well.

3. MOTION TO AMEND ORDINANCE 11-02 TO ALLOW A PORTION OF FUNDS TO BE USED FOR REPAIRING W. 7TH AVE. BRIDGE WATER LINE, DREDGING OF WATER INTAKE AND SATISFY AN OUTSTANDING BILL TO LB WATER FOR METER REPLACEMENT.

RESOLVED, upon motion by Councilman Carter, seconded by Councilman Kerr, motion to amend ordinance 11-02. Motion passed by a roll call vote with unanimous votes by all council present.

B. WATER COMMITTEE

Joe Davidek, Pete Varos

1. MOTION TO ADVERTISE FOR BIDS TO RENOVATE 500,000 GALLON WATER STORAGE TANK.

RESOLVED, upon motion by Councilman Davidek, seconded by Councilman Carter, to advertise for bids to renovate the 500,000 gallon water storage tanks. Motion passed by a unanimous vote by all council present.

REMARKS: MANAGER GUTONSKI

The approximate cost is \$400,000. The work would start in the spring. Some preliminary work at the site needs to be done, making sure that the isolation valves are working properly and that the area is clear and open.

REMARKS: COUNCILMAN DAVIDEK

We really didn't need to buy the property on W. 13th Street for the new water tanks. No denying we were conned into buying the property. The property will sit there wasteful because there's too much bad stuff underneath it.

2. MOTION TO ACCEPT BID FROM THREE RIVERS DIVING LLC FOR DREDGING OF WATER INTAKE FOR THE AMOUNT NOT TO EXCEED 62,000 DOLLARS.

RESOLVED, upon motion by Councilman Davidek, seconded by Erica Josefoski to accept the bid from Three Rivers Diving. Motion passed by unanimous roll call vote by all council present.

3. MOTION TO ACCEPT BID FROM RUDZIK EXCAVATING IN THE AMOUNT OF 87,000 FOR THE INSTALLATION OF 11 WATER ISOLATION VALVES.

RESOLVED, upon motion by Councilman Davidek, seconded by Councilman Kerr, to accept the bid from Rudzik Excavating. Motion passed by a unanimous roll call vote by all council present.

REMARKS: MANAGER GUTONSKI

The \$87,000 is paid for by grant. There's no Borough money in that.

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

10.6.16

D. PUBLIC SAFETY AND CIVIL SERVICE COMMITTEE

Tim Firko, Erika Josefoski

10/6/15

REMARKS: PRESIDENT FIRKO

For the month of August 2015, Eureka Fire Rescue, 26 fire calls representing 63 personnel hours. 3 calls were mutual aid to Springhill Borough, Jessup, and Frazer.

EMS, 246 calls representing 864 personnel hours.

Total company training hours for the month are 27.

From Arden Garner, this came after the agenda meeting: Please consider erecting 15-minute parking signs in front of our store. Yes, we do have a parking lot, but many of our patrons use canes or wheelchairs and front of the store access should be for them, but they can't use it due to employees of Community Life.

REMARKS: CHIEF VAKULICK

I need to check into that. I believe we have those signs in front of the MAC machines and in other places, but I need to check into it.

REMARKS: MAYOR MAGNETTA

I believe we should table it until next meeting.

REMARKS: PRESIDENT FIRKO

Regarding asking for a stop sign coming down Center Street, I'd like to get a little history.

REMARKS: CHIEF VAKULICK

We've only had two accidents as far back as '06 and both were tractor trailers who sideswiped telephone poles. We've never had a problem there. By right, vehicles crossing the railroad have right of way and we should yield to them. I see no need for a stop sign there. I've been here since '97 and I don't think we've ever had much of a problem.

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

F. STREETS & SANITARY SEWERS COMMITTEE

Eric Carter, Tim Firko

1. MOTION TO ACCEPT BID FROM RON GILETTE INC. IN THE AMOUNT OF 143,975.91 FOR THE FINAL PHASE OF STREETS CAPES.

RESOLVED, upon motion by Councilman Carter, seconded by councilman Davidek to accept the bid from Ron Gillette, Inc. Motion passed by a roll call vote with four (4) affirmative votes to three (3) negative votes.

REMARKS: COUNCILMAN DAVIDEK

Is this is the 5th and 6th Avenue project?

REMARKS: MANAGER GUTONSKI

This final phase involves planting vegetation in the flower box that runs the length of the train station, building up the curb on the parking lot side of the station, four catch basins that are on Wood Street and 2nd Avenue, and minor paving on Corbet Street.

REMARKS: COUNCILMAN KERR

Is this money coming from the grant? And what are the negatives?

REMARKS: MANAGER GUTONSKI

This money is coming from the grant, not to exceed \$150,000. This is a project we inherited, and I'm not happy with it. In my personal opinion, I say we just finish it so that we don't have an unfinished project sitting in the middle of town. Negatives include some possible engineering fees and also being looked down upon for not moving into the final phase.

REMARKS: MAYOR MAGNETTA

I want to make sure that this does not exceed the grant. The last streetscape ran the Borough over \$100,000, which was supposed to be a grant, but it was over. The Borough is in bad shape financially. It was put in bad shape by a former manager who didn't do the job properly. Every project in the past few years has been over budget. We'll be starting on our budget next month and I hope money falls down from somewhere. And it's shame what's happened to

this town. We had close to \$500,000 in our reserves and now we're down to \$80,000. He was taking money out of electric and water funds, transferring it over into the general fund without this council knowing what was happening. Something needs to be done. This was a crime.

REMARKS: MANAGER GUTONSKI

Mayor, just understand that you don't have to approve this; council doesn't have to approve this motion. The \$143,000 is grant money. We can't go over \$150,000. We'll have about 10 engineer's fees, \$10,000 we'll have to pay. It's probably a good idea to make a final decision about this now. We already did pay \$7,000 to the engineers for a previous streetscape project.

REMARKS: COUNCILMAN KERR

Mike, I'd like you to find out the difference in the engineer's fees. Grants help the Borough, too. Should we table this?

REMARKS: PRESIDENT FIRKO

Even if it's \$500, that's \$500 we shouldn't have to pay.

REMARKS: MANAGER GUTONSKI

If we table this, we'll just have to pay the engineers longer. With the \$143,000, there's a provision that states that if Gillette needs to go another route to complete the project, it'll take us right up to the \$150,000. As it is, we'd have to pay \$10,000 in engineer's fees. We've already paid over \$60,000 in engineering fees for the other project and it's brought us up to almost \$100,000 in total for the streetscapes.

REMARKS: COUNCILMAN DAVIDEK

Remember, this isn't what it's going to cost in total, because there will be maintenance involved, too.

REMARKS: MAYOR MAGNETTA

That stack of papers that Mike has is change orders of increases, decreases, increases, on all these other projects. It's ridiculous.

REMARKS: SOLICITOR CLARK

I've worked with a lot of grants before and you do compliance review. Has anyone looked at this grant to see if there's any kind of penalty that would be incurred if we got this far with the project and then didn't complete it?

REMARKS: MANAGER GUTONSKI

The records were really poorly kept and I just find bits and pieces of grant paperwork. I've been through all the paperwork, but haven't found any definite answer.

REMARKS: COUNCILMAN KERR

So we don't even have a copy of the grant and the Solicitor is saying we could be penalized?

REMARKS: COUNCILWOMAN JOSEFOSKI

I'll be at the COG meeting on Wednesday, if you wanted to wait and I could talk to them.

REMARKS: MANAGER GUTONSKI

Gilette was the only company that bid. I don't know why. I let the engineers know Tarentum is not fond of what's happened with our finances. The amount of this final streetscape will definitely not exceed \$150,000, not by one penny.

G. PARKS & RECREATION COMMITTEE

Erika Josefowski, Greg Schmitt

1. MOTION TO GRANT LOCAL STEEL WORKERS PERMISSION TO USE

BAND SHELL OCTOBER 3RD FROM 8 AM TILL 5PM FOR A FAMILY PICNIC/RALLY.

RESOLVED, upon motion by Councilwoman Josefowski, seconded by Councilman Kerr, Motion to grant local steel workers permission to use band shell on October 3rd. Motion Passed by a unanimous vote by all council present.

10-8-11

2. MOTION TO GRANT C.J. THIMONS AND FAMILY PERMISSION TO HOLD A 5K FAMILY FUN WALK OCTOBER 4TH FROM 7:00 AM TILL NOON ALONG 1ST AVENUE FROM MARINA TO BRACKENRIDGE LINE. ALL PROCEEDS WILL GO TO THE AMERICAN CANCER SOCIETY.

RESOLVED, upon motion by Councilwoman Josefoski, seconded by Councilman Kerr, Motion to grant C.J. Thimons and family permission to hold a 5K family fun walk October 4th. Motion passed by unanimous votes by all council.

REMARKS: MANAGER GUTONSKI

I met this young man and his grandmother, very impressive. He's got sponsors all over the country who will be involved. The staging area will be at the marina and the entire length of 1st Avenue will be closed.

REMARKS: COUNCILMAN KERR

This kid is a real go-getter, runs cross country, came in 4th out of 800 in a race recently in Ohio. He calls up these sponsors and is so professional, they don't know they're dealing with a kid, they think he's a coach or something. Great kid.

3. MOTION TO PLACE ASPHALT CURB AND FILL IN RAIN GARDEN WITH TOP SOIL AND GRASS SEED AND PLANT 2 TREES TO MATCH THE EXISTING ISLANDS IN LOT.

RESOLVED, upon motion by Councilwoman Josefoski, seconded by Councilman Kerr, Motion to place asphalt curb and fill in rain garden. Motion passed with unanimous Votes by all council present.

REMARKS: COUNCILMAN DAVIDEK

Is this the area where we went down there and looked at it?

REMARKS: MANAGER GUTONSKI

The asphalt leads up to the rain garden area, so there would be no drainage. You'd have to excavate the parking lot 30 feet back and put a grade down to it. Looking at the existing islands, they have grass and trees, so they are essentially their own rain gardens. We'll have drainage, grass, and trees, and at a minimal cost.

10-18-11

4. MOTION TO MARK ENTIRE RAIN GARDEN PROJECT COMPLETE AND NOT TO PROCEED WITH ANY EXISTING PLANS.

RESOLVED, upon motion by Councilwoman Josefoski, seconded by Councilman Davidek, Motion to mark the entire rain garden project complete. Motion passed by a Unanimous roll call vote by all council present.

REMARKS: COUNCILWOMAN JOSEFOSKI

Boo Fest will be on October 24th this year. Tickets will be given out on October 5th through 9th from 11:00 to 1:00.

The fall festival is this weekend and there will be dances, pie tasting, rides, crafts, benefits, and scarecrow contest. Same as always, but always getting better.

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

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

J. REDEVELOPMENT & REVITALIZATION COMMITTEE

MAYOR MAGNETTA, RAY KERR, MICHAEL GUTONSKI

1. MOTION TO APPROVE RESOLUTION 2-04 GIVING AUTHORITY TO MANAGER GUTONSKI TO APPLY FOR ANY AND ALL GRANTS AVAILABLE THAT ARE RELEVANT TO TARENTUM BOROUGH INCLUDING A 150,000 DOLLAR MTF GRANT TO PURCHASE 215 CORBET ST. FOR COMPLETION OF THE CORBET ST. REALIGNMENT PROJECT.

UNRESOLVED, upon motion by Councilman Kerr, seconded by Councilwoman Josefoski, motion to approve Resolution 2-04. By a six (6) negative to one (1) affirmative vote, this motion was not passed.

REMARKS: It's actually 105.

REMARKS: COUNCILMAN DAVIDEK

Would you mind telling me and the people in the audience what this is all about?

REMARKS: MANAGER GUTONSKI

A few years back a project was started to take a portion of Corbet St. from 2nd Ave. to 3rd Ave. to widen that street, taking existing buildings, tearing them down, and building the new facility that is there right now. The funding to purchase the final building never came through and it's the only building still standing. The developer is very unhappy. The tenants in the new building were promised a small parking area but now see this small old building that was never taken care of. The argument could be made that the Borough is somewhat responsible for this situation.

REMARKS: PRESIDENT FIRKO

In those meetings that we've had, is there a chance we can litigate this and win?

REMARKS: SOLICITOR CLARK

There is clearly more than one safety hazard, because when that building was not taken down, the contract was allowed to be changed and left a common wall that is falling down. The land is in limbo who owns it and we have the problem of being in compliance with the grant. We need to realign everything. We aren't in compliance. This is worthwhile and will clean up a lot of problems, number one, safety. We've had litigation involving this and various requests. I think if we were going to litigate this, we wouldn't win, so it's best to go this route and not add any more taxpayer money.

REMARKS: COUNCILMAN DAVIDEK

So \$105,000 would purchase the building and the land? I don't want us to get stuck with more land that this builder could say he doesn't want, just like we got stuck with the hill and the land on W. 7th.

REMARKS: MANAGER GUTONSKI

They're in no position to purchase the building. This grant money is the only way to get the building purchased. They're matching 30% of the amount for this grant, which is approximately 45,000, so they are named in the grant. It's \$105,000 and that \$40,000 is included into it.

In order for us to get this grant, we had to have a bill of sale and we had to have an appraisal done, which was done by the developer. I need to talk to the tenants in the building.

The plan was always to make the building gone.

REMARKS: ROB

I would take that down brick by brick, because it's the only thing I have for my family. They're going to make it a parking lot. And I have put so much work and effort into that building. The vape shop is laughing at me because of all this. If I buy the building, you guys are still going to rip it down because you want to make the street wider.

If I buy the building and do everything I can to make it safer, are you guys still going to rip it down, are you going to vote for that? I started there. I was the 4th vape shop to open in the Pittsburgh area. People came from Ohio to visit my store. I do not want to be relocated. If I don't get to buy the building, I'm moving my shop to Lower Burrell.

I grew up in West Tarentum and people don't want to go to there. There's too much drug activity. I do not want to move there.

I have done everything I can to make that building safer and make it look better, and I will continue to do so.

I'm trying to raise \$15,000 for a down payment. My shop brings in \$20,000 a month in sales. I donate a lot of money to the police and fire departments. And if I can't get that building, I'm going to move and take my money someplace else.

I'm trying to overcome that \$105,000 by doing \$110,000 to buy the building. This is everything for my family. I put in at least 10-15 grand of my own money. And if I move, I'm still trying to find the money for new store. My landlord told me he would sell me the store for 75.

It's all falling on my shoulders because I don't know what I'm going to do, how to feed my family. Either my back's going to be broke again or I'm going back to the military.

REMARKS: PRESIDENT FIRKO

Regarding the street widening, I don't think that's our intention other than to make the area safe.

Rob, all we can tell you is the process will not happen overnight and we sympathize.

3/1/07

REMARKS: MANAGER GUTONSKI

I'm sorry to hear that. It's not the Borough's fault. It's the previous people who were involved. We will do everything in our power to get you into a great location. We don't want you to leave Tarentum.

REMARKS: SOLICITOR CLARK

I would like to revisit this next month, the right for Mr. Gutonski to apply for grants. This particular grant application came up rather quickly. He was trying to solve a problem, and I think we should revisit this.

REMARKS: PRESIDENT FIRKO

Let's change 2-04 to only apply to giving Councilman Gutonski the right to apply for any and all grants that are relevant to the current Borough.

2. MOTION TO APPROVE RESOLUTION 2-04 GIVING AUTHORITY TO MANAGER GUTONSKI TO APPLY FOR ANY AND ALL RELEVANT GRANTS FOR TARENTUM BOROUGH.

Resolved, upon motion by Councilman Kerr, seconded Joe Davidek, to approve (new) Resolution 2-04, giving authority to Manager Gutonski. Motion passed by unanimous votes of all council present.

REMARKS: PRESIDENT FIRKO

We are going to be responsible for that building unless the Solicitor can find a reason why we're not.

REMARKS: CHIEF VAKULICK

I think we'd be open to a lawsuit.

REMARKS: SOLICITOR CLARK

One problem is not completing what we said we were. They have a row of brick, duct work from the old building. In the past we've been cited in the appeal to tear it down. We have some real public safety issues here.

Handwritten signature

REMARKS: ROB

Am I allowed to help the Borough tear down that wall and the extra? I would be willing to do that.

REMARKS: SOLICITOR CLARK

If I said yes, you would be trespassing. I'd love to see that wall disappear, but right now we're in a quagmire. There are a lot of liabilities involved here. There are also competing interests.

REMARKS: PRESIDENT FIRKO

Couldn't he check with the owner of that building who owns that wall, Zamponi and work something out on ripping that wall down? Rob, check with Mr. Zamponi. You got a vote of support.

REMARKS: MANAGER GUTONSKI

This thing is dead in the water.

11. CITIZEN'S COMMENTS

REMARKS: Jim Bowser, 314 W. 8th Avenue. 3 things. Not the first time in the last 40 years the Borough had management issues. This seems to be something that runs in the history of this town.

Second thing, I think you should try to work with this man. This guy is willing to give more than your grant. He's willing to do that work and support his family. You should consider him and help him. He's not causing you any trouble and will do what he can to fix the building.

REMARKS: Sandy Collins, 209 Main Street. 2 questions on the streetscaping. Where there any other bids other than Gillette's. And can that money be used elsewhere in the Borough?

REMARKS: MANAGER GUTONSKI

No, no one else bid. And yes, that money can only be used in that area.

Handwritten signature

REMARKS: Gina Lambda, 512 East 6th Avenue. What's the effective date of employment for the code enforcement officer?

REMARKS: PRESIDENT FIRKO

Tomorrow, We need to notify him he's been hired.

REMARKS: Robert Farr, 215 Corbet Street. The new code enforcement officer, will he be full-time or part-time?

REMARKS: PRESIDENT FIRKO

He will be part-time until he gets his certifications and works with the solicitor and Borough manager to get those things. He'll be on a contract that if he leaves before this time is up, Tarentum Borough will be reimbursed for all his costs to send him to school.

REMARKS: Jim Bowser: Mike, did you get the bill lowered for all the electric meters? Because you said it was reading like 70,000.

And the one grant tried to go after the old locomotive.

Also, this guy needs a fair chance.

REMARKS: MANAGER GUTONSKI

We did. We lowered it to \$35,000 after they removed all the fees and penalties.

Please, Jim, look into all the facts and don't make assumptions.

REMARKS: COUNCILMAN SCHMITT

I'd like to thank the Mayor, Council, and all citizens for their understanding in my time of absence. Things are improving.

10-8-18

REMARKS: MANAGER GUTONSKI

For those who don't know, his wife was attacked by a dog, had serious injuries to her face, and has had to undergo serious plastic surgery. Long road of recovery. We all have to prioritize sometimes.

REMARKS: Walt, 917 Corbet Street, where the new sidewalk is. I have a problem with some people parking and blocking my parking. Can I paint a yellow line?

REMARKS: CHIEF VAKULICK

No, we should do that for you.

REMARKS: MANAGER GUTONSKI

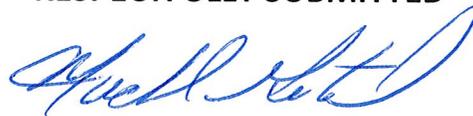
I'll talk to Public Works in the morning. We'll do that for you.

ADJOURNMENT

Motion by Councilman Davidek, seconded by Councilman Schmitt to adjourn. There being no further business to come before Council, the meeting of September 21, 2015 was unanimously adjourned at 7:59 PM.

100679

RESPECTFULLY SUBMITTED



MICHAEL GUTONSKI

BOROUGH MANAGER