

FERNDALE BOROUGH

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REGULAR MEETING

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APRIL 14, 2014

The Ferndale Borough Council met on Monday, April 14, 2014, in the Fire Company's Recreation Hall at 618 Westinghouse Avenue, Johnstown, Pennsylvania.

President Jim Rigby called the Meeting to order at 7:00 pm. and those present recited the Pledge of Allegiance to the U. S. Flag.

CALL TO ORDER

ROLL CALL

Roll Call showed the following present: Councilmembers—Cindy Dom, Scott Miles, Al Lushko, Steve Mitchell; Mark Wissinger, Jr and Jim Rigby, Secretary/Treasurer Carol Schalles, Mayor—Ed Dallape; and AP/Payroll—Anita M. Smith. Absent: Mary Rose Shaffer and Wayne Langerholc.

ROLL CALL, ABSENT & OTHERS

VISITORS:

Lindsay Shay – 956 Virginia Avenue – 241-5149 (Student)
Summer Huffman – 825 Vickroy Avenue – 243-9475 (Student)
Eric Huffman – 825 Vickroy Avenue – 243-9211 (Student's Father)

MEETING MINUTES:

Al Lushko mentioned he was missed in the Roll call of the March 10th, 2014 meeting minutes. Jim Rigby asked Carol Schalles to forward those minutes to Mr. Leonard Facciani once corrected and now that they are approved by Council. Motion to accept the meeting minutes was made by Al Lushko and seconded by Scott Miles. A call was made for a Roll Call vote. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

ENGINEER'S REPORT:

EADS Report was sent by email from Mark J. Muir and presented to all Councilmembers. The Engineers were not in attendance and are not required to be present at council meetings. Steve Mitchell presented the Engineer's report of 378 - Inspections complete; Entire System Tested – 159; Tested to inside Foundation – 79 and outside only test – 140. Al Lushko asked Steve Mitchell if the pressure testing only last for one year. Steve Mitchell answered yes that it is good for 12 months. Jim Rigby added that even though it is just to the foundation, if you are going to sale the property, the pressure testing is good for 12 months. Scott Miles added that other municipalities, what they do if they are going to sale their property within a year, and they had a pressure test done there does not need to have another pressure testing done if there is no digging and no lateral. Jim Rigby stated that once the pressure test is done it is only requested that the smoke and dye test is completed for the sale of the property. They would like to share that information with the Realtors. He is going to look into the ordinance to make sure what exactly is required. Steve Mitchell is going to give a list of laterals that the borough is responsible for to the street department. He will request them to schedule for those items to be completed by the deadline of April 2015. Motion to accept the Engineers report was made by Cindy Dom and seconded by Scott Miles. A call was made for a Roll Call vote. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

EMERGENCY MANAGEMENT + FIRE CO. REPORT + WEST HILL'S REPORT:

Fire Company and the West Hills report were presented to Council. There were discussions at the workshop meeting in reference to the fee to the Fire Association and there were some uncertainties. Ferndale Borough is still responsible for the for the Workman's Compensation and the housed vehicles through the association, we have not seen an increase, it remains at

\$15,500.00 that the borough pays, and the Fire Association support us with an additional \$11,000.00 to meet our \$26,500.00 to West Hills. There was an increase to Workman's Comp that through a red flag to Mary Rose Shaffer and she was questioning that increase. That is aside from what our agreement is with West Hills. We are responsible for \$15,500.00 with West Hills, and the Fire Association gives \$11,000.00, which we pay \$26,500.00, and the increase was on the workman's Comp which we are still responsible to carry. We are still required to pay the insurance on the vehicles. When Council went over the contract at the Workshop that is exactly how it was spelled out. While there was no increase to Ferndale Borough there was an increase to the Workman's Compensation so we have to allow that increase for the budget and we have to be ready to cover that.

EQUIPMENT STREETS TO BOROUGH PROPERTY REPORT:

Cindy Dom mentioned that the form for Liquid Fuel needed to be signed by three councilmembers. She also brought up that as of April 14th the cell phones that the street department is using will no longer be under an agreement with Sprint. The street department will be paid a stipend of \$35.00 per month for three phones for the three employees. Jim Rigby asked what our current phone bill cost is. Anita Smith replied that the bill was \$79.94 per month to Sprint for two phones. Sprint was increasing their prices per Anita Smith and we had to make a decision to keep Sprint or go with something else. This will be less expensive than staying with Sprint. Motion to accept the Equipment/Street report was made by Mark Wissinger, Jr and seconded by Scott Miles. A call was made for a Roll Call vote. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

Jim Rigby stated that he and Brian McAteer talked with Miller Paving in reference to the curbing on Glenwood Avenue and they could get within 3 inches from the curb. Miller Paving would charge \$150.00 an hour along with Ferndale's Street department assisting them. Jim Rigby mentioned to Brian McAteer that we could probably use the money from Liquid Fuels and he was to check with Mike Bowser to see if this was possible. If Ferndale does do this they will focus on the even side of the street first, then see if it is reasonable in price then do the other side of the street and Miller Paving would complete the block off of Station and Harlan first. Then that will give a good idea to see what it takes. Motion to bring in Miller Paving to do one block of paving was made by Al Lushko and seconded by Mark Wissinger, Jr. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

Council advised the street department to go to their chairperson if someone other than the councilmembers of the Street department requests something to be done.

Scott Miles addressed Council to let them know a gentleman from Daisytown contacted him and was interested in renting Ferndale's street sweeper. Scott Miles asked Jim Rigby and Brian McAteer what the normal procedure is and how much would the cost be. Any one that is already committed to renting the sweeper the cost would remain at \$100.00. The new charge is \$125.00 per hour for new agreements. The extra money will be put into a separate fund for maintenance and to be used for a new purchase of a street sweeper if needed. Motion to increase the cost of the street sweeper rental was made by Cindy Dom and seconded by Al Lushko. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

MAYOR AND POLICE REPORT:

No report. Motion to accept the Mayor's report was made by Al Lushko and seconded by Scott Miles. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

PAYROLL/ACCOUNTS PAYABLE CLERK+ BILL LIST AND ADDITIONAL BILLS + TAX COLLECTOR'S REPORT:

Anita Smith presented her tax report from the end of March and her financial report. The sewer project fund in the First National Bank has \$105,739.42; the sewer project fund from Somerset Trust has \$ 8,244.41 this is deposited into Somerset Trust then a check is written and transferred into the Sewer Project. The total Pglit account is \$173,969.24. Anita Smith also provided the

bill list to Council and mentioned that her and Carol Schalles will create a new version of this so it will be more adequate. Ferndale had a hearing at Magistrate John Barron's office for Mr. John Zlatovich's property for delinquent sewer payments. Mr. Zlatovich is now taking it to Common Pleas Court. The sewer project fee was not paid since his tenant moved out. The Mayor asked if we have Attorney fees in place to defend our position. The court costs will be passed along to the homeowner when he loses. Mr. Zlatovich was told by Magistrate John Barron that he does owe Ferndale the delinquent sewer project fee of \$62.00. When the ruling is handed down the homeowner will have to pay the fines and associated court costs. Anita Smith is continuing to be the Municipal Pension plan Officer and the form needed to be signed by Jim Rigby and Carol Schalles has to attest to it. This position has been held by Anita Smith for several years now. Motion to make Anita Smith the Chief official Pension officer was made by Al Lushko and seconded by Mark Wissinger, Jr. All Councilmembers voted "Yes"; therefore, the motion passed unanimously. Motion to accept the Accounts Payable/Payroll Clerk report was made by Cindy Dom and seconded by Al Lushko. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

FINANCE COMMITTEE REPORT: Nothing to report.

PERSONNEL COMMITTEE REPORT: Nothing to report.

RECREATION REPORT:

Al Lushko and Mark Wissinger, Jr mentioned about Council getting together to apply for a grant and to get an open date to meet. Ferndale's Solicitor as a supervisor got a large amount of grant money for Richland Township maybe he could possibly help Ferndale. Council is going to check to see who the solicitor went to for grant money. Mark Wissinger, Jr gave him the county name and the county grant writer. A motion to accept the Recreation report was made by Cindy Dom and seconded by Mark Wissinger, Jr. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

PUBLIC RELATIONS REPORT:

Cindy Dom thanked all of Council for signing up for the April 22 Cambria County Borough Association Spring dinner hosted by Ferndale Borough and said it is going to be a wonderful turn out. Jim Rigby thanked Cindy Dom and the ladies in the office and Mary Rose for doing such a great job putting the banquet together. A motion to accept the Public relations report was made by Mark Wissinger, Jr and seconded by Cindy Dom. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

ATTORNEY'S REPORT:

The Solicitor was not present he was attending a conference in Hershey, PA. He did sent Jim Rigby information about the "Right to Know" information to review. Carol Schalles is attending the Open Records "Right to Know" class on May 1st. Jim Rigby requested to also attend the class if approved by Council. Steve Mitchell would like someone else to go to the class as well. When a resident requests information by presenting a Right to Know form they have five days to receive this information. If we fail to respond after the five days then it is a denial. The resident has fifteen days to file it with the courts. Jim Rigby met with Magistrate John Barron in reference to the request for the "Right to Know" and Magistrate John Barron said to speak with the solicitor and the solicitor is to act on it. The Borough does not have to answer questions just provide documents.

OLD/NEW BUSINESS & CORRESPONDENCE: COMMERCIAL PLAN REVIEW/PERMIT FEE SCHEDULE:

The Mayor would like to recognize Mary Spangler that passed away 25years ago on March 1, 1989 and was 100 years old. She was a dedicated teacher and a very special person.

The Mayor would also like to recognize Robert Joseph "Bob" Spatz. He passed away on July 23, 2013 and was 96 years old. He was a native of Johnstown and graduated with the Ferndale class of 1935.

Scott Miles addressed Council that when talking with the solicitor please mention Ferndale's wrestling team. Scott Miles Class of 1973 will be giving out two (2), six (6) hundred dollar scholarships. They are going to do this every year at the Awards Assembly at Ferndale High School which will be held the year on May 21, 2014.

ADJOURN

The Meeting adjourned at 8:00 pm.

Respectfully submitted

Carol A. Schalles
Borough Secretary/Treasurer
(04/16/14)