

Regular Meeting of Patton Borough Council
Tuesday, February 14, 2012
Minutes

President Crowell the Call Meeting to Order at 7:00pm .
Recite the Pledge of Allegiance.

Call On Citizens Present.

Mike Sopata . 508 Fifth Avenue . Addressed council concerning a coal furnace complaint; (Mr. Sopata submitted handouts which are attached to these minutes; he also submitted video which are on file) Mr. Sopata alleged that his neighbor across the street coal furnace produced to the extent that it was causing a nuisance for he and his family ð he said that he tried talking to his neighbor about the issue including talking to him about the cleaning of his chimneyð the chimney and building codes were mentioned as well as whether this was a civil vs. a criminal matterð . Council did not feel this was a criminal matter . President Crowell stated that the Borough could not enact an ordinance to banning (the burning of) coal (in home furnaces)ð nor did the council believe that the DEP had regulations banning the use of the same or regulated home furnace of this type from previous discussion with the DEPð Mr. Sopata stated that he would like Council to at least look into the matterð President Crowell restated that the Council could not make this type of and ordinance 7:10pm Mr. Sopata concluded his discussion.
7:16pm the Sopatas left the meeting during the remainder of the meeting.

Joe Vescovi – Backhoe Upgrade: Mr. Vescovi explained the trade in program and new laws concerning emissions that would require extra equipment in the new model backhoes to reduce emissions . (all though friendlier to the environment) this raises the cost by \$5000.00 - \$8000.00ð he noted in the future there will be no a choice. Additionally he addressed problems associated with the new computer systems in the new models. More discussion took place regarding the cons of being %guinea pigs+to new models. After which a motion to accept the quote for the purchase of a new John Deere Backhoe 310SJ Loader Backhoe in the amount of \$87426.80 including warranty; less \$61,500.00 Trade-in allowance plus fees for a total net price of \$26394.80 was made by Council Member Resko and seconded by Council Member Noel. Motion Carried.

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A motion to approve Minutes of January 03, 2012 Reorganization Meeting and the Minutes of the January 3, 2012 Regular Council Meeting as written and to post to website was made by Council Member Della Valle and seconded by Council Member Kirk. Motion Carried.

Police Department – The State Updated the Wave Buckle-Up Program for an additional roundð the %Old Liquor store building+corner of 5th and Magee Avenues will be turned over to the County through the Cambria County Redevelopment Authorityð as such Commonwealth Code has dropped the pending nuisance charges against the previous owner to allow for the building to be transferred. Additionally if you have any questions for the Chief on his monthly report or other pending legal matters please see him in his office. Secretary Dunegan will send at Thank you note to Larry Custer of the Cambria County Redevelopment Authority for all their assistance.

Street Commissioner – Continuing with winter plowing as needed. Also during sunnier/ warmer days have been cold patching, cleaning catch basins and hauling scrap metals . made almost \$1000.00 on recycling scrap metal; which he was commended forð additionally patching was discussed.

Water System – The sand has been updated at the Water plantð Sewer Systemð Engineer Banks updated the Patton Municipal Authority on the information he presented to Council on the Nutrient loadings at the WWTPð .

Magee Avenue Bridge Project . Lee Hardware request streets to be designated no parking during the Project to make it easier for them to take deliveries during the project. The Borough Project Engineer informed us that Penn DOT expects to bid out the Project in June but since the plans are already laid out that if we decide to grant No Parking it would be up to us to do whatever needs doneð A short discussion took place, after which a motion was made by Council Member Noel and seconded by Council Member Shilling to extend no parking area about 200 feet down and if more was needed during the project this area could be adjusted. Motion Carried.

Cambria County Hazard Mitigation . The County ask that we update our Cambria County Hazard Mitigation Plan by confirming by Resolution(02-2012 . 01) that we follow the County Plan. A motion was made by Council Member Della Valle and seconded by Council Member Resko to adopt Resolution (02-2012 . 01) a resolution confirming the Borough follows Cambria County Hazard Mitigation Plan. Motion Carried.

Non Uniform Pension Plan . A motion was made by Council Member Noel and seconded by Council Member Della Valle that an additional \$464.26 in General Funds be deposited in the Non Uniform Pension Plan due to an interest gap in the deposit of state aid before the end of the month based on calculation by the Actuary. Motion Carried. The actuary noted that this adjustment will keep the Borough in compliance.

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Annual Meeting of the PSAB . Seven Springs Mountain Resort . 101st Annual Conference Sunday, April 29th . Wed., May 2nd - Secretary Dunegan asked that anyone who was interesting in attending contact her by the end of next week so she could send in the reservations, etc.

Council Member Resko then made a motion to appoint Mayor Bakajza as the Voting Delegate, second by Council Member Shilling. Motion Carried.

Cambria County Borough Association The Annual Spring Dinner Meeting of the will be held on **Wednesday, April 18, 2012** at the Contres-Greer Social Hall - Northern Cambria
A social hour - 5:30pm Meeting 6:30pm/

Flood Control Grant

Cambria County Conservation District- Since the Boro received the flood control money and the District now has received another grant they would like the Borough if possible of instead bidding this out as two projects (with the possibility of ending up with two contractors and potentially costing more money, less confusion, etc), if everything could be run through the Borough have the County pay the Borough project more efficient. If so to motion to put it out to bid as soon as the District is ready to advertise. A brief discussion of the same took place after which a motion was made by Council Member Noel and seconded by Council Member Kirk to advertise for bid two portions of the project (Borough and County) together; this however would not change each individuals ultimate responsibility for each portion of the project. Motion Carried. Once the Conservation is ready to do so, the project will be bid out.

Also the CCCD would like permission to hold the **White Appliance and Tire Clean up** . Saturday, May 12, 2012 8am to 1pm. Additionally as in the past, Borough Employees who work the event would be compensated with a day off. A motion was made by Council Member Resko and seconded by Council Member Resko to approve the Borough participation in the White Appliance and Tire Clean up . Saturday, May 12, 2012 8am to 1pm under the usual conditions are the clean-ups in the past.

Cable Franchise Fees . A brief discussion took place on the matter, after which a motion was made by Council Member Noel and seconded by Council Member Shilling to give Attorney Webb Atty Webb . the authority to direct the Cohen Group on behalf of the Borough to update the Franchise Fee Agreements/ Contracts/ Ordinance contingent upon his review and well as permission to advertise the ordinance of the same upon review by the Solicitor. Motion Carried.

Tax Collection/ Berkheimers . A motion was made by Council Member Kirk and seconded by Council Member Noel approve additional collection resolutions for Berkheimer and Associations for appointment of Tax Hearing Officer, impose on collect cost to delinquent earned income tax, per capita taxes and other resolutions in connection with their tax collection duties. Motion Carried. (Copies of which are attached to these minutes.)

Annual Flood Control Meeting Tentatively April 10 - 12 but not scheduled yet. A motion was made by Council Member Resko and seconded by Council Member Della Valle to allow the Street Commissioner Price and Secretary Dunegan to attend the Annual Flood Control conference if scheduled by the DEP; under the regular conditions. Motion Carried.

Note: The US Postal System lost the water and sewer billing late fees was waived for the December bills that were due by January 31, 2012. A short discussion took place.

Other Miscellaneous Correspondence:

District Magistrate . 2011 Fine Statistics.

DEP . Notification of that our Lab Accreditation expired however Ken Trinkley informed them previously that we would not be renewing the same.

Thank you note from the George Jens Family on flower sent on former Council Member Gensqpassing.

7:34pm . 7:40pm an Executive Session took place to discuss . Legal Matter Regarding Fees and a Personal Matter Police Collective Bargaining Agreement . Letter from the Fraternal Order of the Police. No decisions were made during the session.

Per Advice of the Borough Solicitor a motion was made by Council Member Noel and seconded by Council Member Shilling to hire representation that specializes in consent orders - Paul Bruder with Rhodes and Sinon. Motion Carried.

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A motion to adjourn was then made by Council Member Della Valle and seconded by Council Member Resko. Motion Carried.

President Crowell called the meeting adjourned at 7:42pm.

Respectively Submitted,

Donna M. Dunegan
Borough Secretary

It was also noted that there would be a basket Auction over the weekend at the Fire Hall for Stacey Albright (the Borough's first woman firefighter) who was injured in a car accident.