

Regular Meeting of Patton Borough Council  
Minutes  
Wednesday, November 16, 2011  
(Rescheduled from Wednesday, November 8, 2011)

President Crowell . called the meeting to Order at 7pm.

The Pledge of Allegiance was recited and roll call was taken . Council Member Rick Resko was absent for work related reasons. All members and Mayor Bakajza were present.

Call Meeting to Order and Recite the Pledge of Allegiance.

**Citizens and Others Present**

**Dollar Store – Erick Allen, Atwell, LLC Engineers and Bob Gage ( GBT Realty Corp) the Dollar Store's Project Developer** - Proposed Dollar Store Magee Avenue . Metered Parking Spaces and Storm water. Mr. Gage and Mr. Allen addressed the Council . They presented Council with and update draft mock-up of lot plans of the new Dollar Store to be located on Magee Avenue (where the current Central Hotel is located) They informed Council that Penn DOT stated that the Dollar Store's site distance is inadequate (where the current driveway is located in relation to Moose Avenue) and they will not allow them to use/ transfer the existing (highway occupancy permit) permit . Mr. Gage further stated that 150 feet is needed and that this could not be changed in any uncertain terms (according to Penn DOT) . This was one of the stumbling blocks to keep the project moving . Mayor Bakajza asked if they were given any reason why they could not use the existing permit since it has been in use for over 20 years . Mr. Gage and Mr. Allen stated that they were told that laws have been changed since the time the permit was put in place and since there was a change in use it had to be updated (a short discussion took place disagreeing with Penn DOT's alleged assessment of the prior uses of the driveway) . A discussion also took place if it was possible to rearrange the site plan . the representative stated that they would like it to keep it as is-if possible so that they can unload their delivery trucks from the front of the store . the representative from the Dollar Store also stated that the Borough would lose approximately a net of eight (8) parking spaces to accommodate Penn DOT's requirements for a highway occupancy permit . Mayor Bakajza stated that he thought it might be a good idea if Council sponsored a meeting with Penn DOT and the Dollar Store (being that again the driveway was in use for over 20 years.) Council Member Noel stated that it seemed like the best decision was not to wait and instead of prolonging the project just grant the request . he argued that the metered parking spaces were not being actively enforced and that they were not a major money maker for the Borough anyhow . the Borough should be grateful that someone wants to invest in our community not try and make things difficult for them . Mayor Bakajza said that he was not against the Dollar Store and did not think it would hold up the project by trying to set up a meeting with Penn DOT . I really don't see why it would hurt to meet with Penn DOT . Council Member Noel stated that Council should be supporting the project . and that removing the (requested) parking spaces should be no big deal . Mayor Bakajza stated that Council also needed to think of the other businesses like B&D Variety, who may have patronage parking issues by eliminating spaces . Council Member Noel argued that that was a non-issue because people would park in the Dollar Store's parking lot regardless of the fact if they were shopping at the Dollar Store or (other Main Street locations) if it were more convenient and the manager of the Dollar Store wouldn't be constantly monitoring who was or wasn't parking in their lot . Mayor Bakajza stated . again I don't see why it would hurt (to talk to Penn DOT) it's only a matter of a couple more weeks . Council Member Noel thought the Council was being foolish . More discussion followed pros and cons approving removing the parking meters now . Council Member Kirk also voiced his opinion that the Council should just motion to remove the spots now . if we try to get a meeting set-up this time of year it will wind up being after the holidays until Penn DOT meets with us why put this off . These guys traveled from Ohio and Kentucky to get here why make them come back? More discussion took place.

After which a motion was made by Council Member Noel and seconded by Council Member Kirk to grant the Dollar Store's request to remove the parking metered spaces required by Penn DOT to obtain a highway occupancy permit, which was answered with several nays. As such a Roll Call vote was called for: Council Member Della Valle . No. Council Member Shilling . No. Council Member Kirk . Yes. Council Member Noel . Yes. President Crowell . No. Three (3 ) against to Two ( 2) approve. Motion denied.

Council Member Shilling then motioned with a second by Council Member Della Valle to set-up a meeting with Penn DOT to see if they will let the Dollar Store use the current occupancy permit, if Penn DOT denies the use of current occupancy permit or decides they will allow the permit and take less spaces etc. after that meeting then grant the Dollar Store's request to remove the parking metered spaces required by Penn DOT to obtain a highway occupancy permit. Motion carried.

More discussion took place.

The second issue that was discussed was the lack of drainage on 400 Block Edelweiss Street (the nearest drainage is at the intersection of the end of Edelweiss Street alley on Fourth Avenue). Several ideas were discussed . The Dollar Store representatives said that they did not want to cut corners nor was it their intent to skirt any laws . they did not agree with the calculations of the Borough's engineer regarding the impervious surface rules . they said they were going to try and do some other calculations with green

space etc... before this became an issue they asked permission to consult with the Borough Engineer which Council approved. More discussion took place.

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Secretary Dunegan will contact Representative Gary Haluska to see if he can assist in setting up a meeting with Penn DOT and let Mr. Allen and Mr. Gage know. Mr. Allen and Mr. Gage thank everyone for their time and the Council thanked the representatives as well.

**Dave Marchoral – Roof Project** . Finalize the roof project. A discussion took place on the project as a whole; after which Council Member Della Valle motioned approve Final Pay Application \$5202.20 (this includes credits various etc) per the advice of project architect, Dave Marchoral of Stiffler and McGraw. Motion Carried.

**Penn DOT ( Magee Avenue Bridge Project )** . A motion to approve amendment to cost sharing agreement to increase amount from \$94,400.00 to \$414,000.00 (which is the project moving from the design phase to bidding construction phase) was made by Council Member Kirk and seconded by Council Member Della Valle. Motion Carried.

A motion was then made by Council Member Shilling and seconded by Council Member Shilling approving the updated **Engineering Agreement** for this next phase of the Bridge Project; and authorizing Stiffler and McGraw to act on the Borough's behalf for this next phase. **Motion Carried.**

**Old Cambria Heights Elementary School** . Secretary Dunegan also noted that demolition started yesterday on the county's project . the contractor salvaging some items (including an old chalk board) to preserve and add to the Borough's historical items.

**Light Up Night Festivities and Christmas Activities:** A motion to approve the Patton Event Committee's request to close Magee Avenue ( 4<sup>th</sup> to 5<sup>th</sup> Avenues ) and regular parade route for Friday, November 25, 2011 at 6pm (parade to start at 6:30pm) and give traditional \$100.00 donation towards the event was made by Council Member Della Valle and seconded by Council Member Shilling. Motion Carried.  
(This year Santa will be at the new Patton Library.)

A motion to was also made Council Member Della Valle to approve the Christmas Party to be again be held at the Patton Slovak Club and Mayor Bakajza to be the Christmas Party Committee for Friday, December 23<sup>rd</sup> at Noon as well as to set employee Christmas bonuses for the same amount as last year \$50.00 for full time and \$25.00 for part time and per diem employees. Motion Carried.

**Minutes** . Motion to approve Minutes of the October 2011 Regular Council Meeting as written and to post to website was made by Council Member Shilling and seconded by Council Member Della Valle. Motion Carried.

#### **Employees and Committees:**

##### **Sewer and Water Department:**

**Sewer System:** The **Highland Avenue Pump** needed repaired cost \$4996.00 without the pump the pump station would not run causing overflows; as such Mr. Trinkley made the purchase and repairs. A motion was made by Council Member Noel and seconded by Council Member Della Valle to approve the expenditure ( \$4996.00 ) . Motion Carried.

**Water/ Sewer: Handheld – Meter Reading device #1's memory is failing and** needs replaced (machine cannot be repaired it has become obsolete) with turning in old machine and the Borough's service membership discount the cost to replace is \$4995.95. A motion was made by Council Member Noel and seconded by Council Member Shilling to replace handheld . Meter Reading device #1 as quoted (\$4995.95). Motion Carried.

**Street Committee** – Along with normal Fall/ Winter maintenance mixing 2011/12 road salt, removal of leaves and debris off catch basins, getting ready for the holidays; repaired water line fracture/ seepage at Prindible Avenue ( between Good and Mellon ). A brief discussion took place water line repairs in the future water system upgrade.

**Police Department:** Secretary Dunegan was also asked to send a Thank you note to the Patton Public Library for aiding the Police Department by lending the Library as a command center during a crisis situation that occurred on Main Street. A short discussion of the event took place.

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**Secretary Dunegan:**

**Patton Municipal Authority:** Is continuing with the Well Project and Phase II of Water System Improvements . Updated Water Allocation Permit was prepared and sent out . ( Well Project )

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**East Carroll Township .** Once closing is finalized Penn Vest Note will be paid off target date 11-30) Secretary Dunegan will add new individual sewer accounts/update . and send notices out to these new individual customers after finalization.

**FWF Insurance .** Estimated insurance renewal . \$76,714.00 . ( Approx. 18,000.00 increase is due mainly to an open workers compensation claim.) A short discussion on the same took place. A motion was made by Council Member Della Valle and seconded by Council Member Shilling to approve insurance renewal with EMC Insurance as quoted by FWF Insurance of Johnstown. Motion Carried.

**Earned Income Tax .** Paul Cihan no longer wishes to be OPT Tax Collector for 2012 (since Berkheimer and Associates is taking over EIT Collection). A motion was made by Council Member Kirk and seconded by Council Member Della Valle to authorize documents for (Berkheimer to collect OPT Taxes as well as the other Taxes that they were already approved for) as well as accepting Mr. Cihan resignation as of the end of 2011. Motion Carried. Borough Office is assisting Berkheimer with transmission period.

FYI The bid limits have been raised to \$18,500.00; the limit for three written quotes to \$10,000.00; and below \$10,000 no longer requires bidding or quotes. It applies to contracts and purchases advertised after December 31, 2011.

Meetings and Other Events: Set Up 2012 Budget Meetings . Next Tuesday or Wednesday .  
A short discussion took place after which a motion was made by Council Member Shilling to adopt the budgets keeping the same mills ( 18.5) and rates ( Water and Sewer rates ) and ( related fees) for 2012 as 2011 for all funds, Water and Sewer Funds, General Fund however making adjustments to include a 3% payroll increase for full time employees and ( as recommend during questions on the motion ) to adjust to include funds set aside for the Municipal Building and the Park Project; second by Council Member Della Valle. Motion Carried.

Other Correspondence . Comcast . Website link: [www.xfinitytv.com/contractrenewals](http://www.xfinitytv.com/contractrenewals) for customers to view upcoming changes in programming contracts.

A motion was made by Council Member Della Valle to adjourn the meeting and seconded by Council Member Kirk. Motion Carried.

President Crowell called the meeting adjourned at 8:05pm.

Respectively Submitted,

Donna M. Dunegan  
Borough Secretary