

**WARREN CITY COUNCIL
REGULAR MEETING
JANUARY 18, 2016 – 7:30 PM**

PUBLIC HEARING: PROPOSED CDBG FFY 2012 BUDGET MODIFICATION

Mayor Maurice Cashman opened the Public Hearing. Mr. Hildebrand stated that it was proposed that a Budget Modification Application be submitted to the Pennsylvania Department of Community and Economic Development under the Small Communities Program (SCP) for FFY 2012 funds.

The City of Warren proposed that \$124,038.01 be reallocated from the Removal of Architectural Barriers (Curbing) activity to Street/Road Improvements (Franklin Street), which is a new activity. It is also proposed that \$41,432.53 be reallocated from the East Street Project (completed) to the Franklin Street Project.

Mr. Hildebrand stated that this hearing was held for the purpose of obtaining citizens' views and comments. The hearing was held immediately prior to the regular meeting of City Council in Council Chambers of the Municipal Building at 318 West Third Avenue.

There being no citizens wishing to comment, Mayor Cashman closed the Public Hearing

OPENING OF REGULAR MEETING

Mayor Cashman presided over the January 18, 2016 regular meeting of Warren City Council in Council Chambers of the Municipal Building and opened the meeting with the Pledge of Allegiance.

ROLL CALL

Members present and responding to roll call were: Mayor Maurice Cashman, Elissa Davis, Gregory Fraser, Philip Gilbert, Richard Kolcharno, John Lewis, and James A. Zavinski, Sr. Mrs. Freenock, Mr. Hildebrand, Mr. Holtz, Mrs. Leary, Ms. Nau, Mr. Sceiford, Chief Zydonik, and Ms. Stapleford of City staff and Police Officer N. Bond were also in attendance.

RECOGNITION OF VISITORS

Mayor Cashman welcomed all visitors. Present were:

- James Kingston: Cedar Street sidewalks
- Cynthia Hammersley: Cedar Street sidewalks
- Tim Hammersley: Cedar Street sidewalks
- Pauline Steinmeyer: City resident
- Lucas Young: Present for a school project
- Katie Young: Present for a school project
- Josh Cotton: Times Observer Reporter

APPROVAL OF MINUTES

Upon motion by Mr. Zavinski and second by Mr. Kolcharno, the minutes of the December 21, 2015 Regular Meeting were unanimously approved.

Upon motion by Mr. Zavinski and second by Mr. Kolcharno, the minutes of the January 4, 2016 Organizational Meeting were unanimously approved.

ADDRESS TO COUNCIL REGARDING CEDAR STREET SIDEWALKS

James Kingston, Cedar Street resident, provided a handout summarizing his concerns and addressed Council regarding the condition of sidewalks on the portion Cedar Street located between Pennsylvania Avenue and Lexington Avenue. He noted that several residents received notices from the City Building Codes Department that their sidewalks must be replaced due to the deteriorated condition and expressed concern regarding the timeframe in which it was ordered that such replacement occur. Mr. Kingston indicated that it was his understanding that Cedar Street is in line to be rehabilitated using Community Development Block Grant Funds (CDBG) in three years. He requested Council's consideration of a plan that would provide financial relief to those who are required to replace all or a portion of their sidewalk.

Mr. Kingston stated that Columbia Gas Company conducted a project on the street and the restoration work left the street in poor condition.

Mrs. Freenock noted that the Building Codes Department responds to sidewalk matters on a complaint-received basis. She stated that a resident contacted the Department concerning the sidewalks and their difficulty in traversing them. Mrs. Freenock also stated that Cedar Street is not presently under consideration for rehabilitation under the CDBG program and that Mr. Kingston had been advised that it would likely be a minimum of three years before such a project could occur as it must first be qualified as a low-moderate income area and, if qualified, would then undergo the engineering and bid stages.

Mrs. Freenock also indicated that a citywide survey of the condition of sidewalks will be conducted in 2016.

Mayor Cashman asked that Mrs. Freenock and City staff review this matter, respond to Mr. Kingston, and provide a report to Council.

CORRESPONDENCE

Council members acknowledged receipt of correspondence from H. Robert Hampson commending the Department of Public Works for its fine work in conducting the Fall Leaf Collection Program.

AGREEMENT: TERMINATION OF AGREEMENT WITH MCDONALD'S CORPORATION

Mrs. Freenock reported that in 1982, McDonald's Corporation constructed a restaurant on the westerly side of Market Street. At that time, the City granted McDonald's the right to utilize a portion of the City's right-of-way which is adjacent to the McDonald's property. McDonald's no longer has need to utilize the right-of-way and, therefore, in accord with the terms of the 1982 agreement, wishes to terminate such.

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members voted unanimously to approve execution of the agreement terminating the 1982 Agreement with McDonald's Corporation.

CDBG FFY 2012 BUDGET MODIFICATION

See like-captioned Public Hearing above.

Mr. Fraser made the motion to approve the FFY 2012 CDBG Budget Modification providing for the reallocation of \$124,038.01 from the Removal of Architectural Barriers (Curbing) activity to Street/Road Improvements (Franklin Street) and the reallocation of \$41,432.53 from the East Street Project (completed) to the Franklin Street Project. The motion was seconded by Miss Davis and carried unanimously.

SEWER FUND BUDGET AMENDMENT

Mr. Holtz stated that the new Sewage Treatment Plant (STP) has been partially operational for approximately five months. During that time, it has become evident that the current staffing level is not sufficient to operate the plant for the following reasons:

1. There are a multitude of tasks related to maintaining the equipment;
2. Sludge will now be pressed and de-watered in-house (at a significant savings); and
3. The new facility is much larger consisting of five buildings whereas the former plant consisted of one building.

It was noted that ten employees currently staff the DPW Garage and STP, with wages and benefits allocated accordingly; four of these employees are licensed STP operators. Staffing at the previous treatment plant consisted of two full-time Operators and one temporary worker. The new Plant has been operating with two Operators on site at any one time and rotating the other two Operators between the Garage and the Plant. It was recommended that three full-time Licensed Sewer Operators be on site at the Plant. Mr. Holtz indicated that in the future it may become necessary to add an additional operator.

City staff requested Council's authorization to hire one additional Operator for Garage operations so that an STP operator may be assigned to the Plant full-time. It was noted that this action may result in a small savings to the General Fund as the new Garage employee would be compensated at a lower rate than the employee being transferred to the STP.

Mr. Holtz noted that there will be an increase in personnel costs in the Sewer Fund which may be offset by the savings realized by dewatering sludge in-house; however, the extent of those savings will not be known until the entire plant is operational.

Upon motion by Mr. Lewis and second by Mr. Kolcharno, Council members voted unanimously to approve the hiring of a new Garage Equipment Operator and to approve an amendment to the Sewer Fund Budget in an amount not to exceed \$66,693 to provide for wages and benefits so that an additional licensed STP Operator may be assigned full-time to the Plant

ORDINANCE NO. 1864: AMENDMENT TO THE MUNICIPAL EMPLOYEE PENSION PLAN

Mrs. Freenock reported that the question recently arose as to whether an individual who is retired from the City's uniformed service (i.e. Police or Fire Department) and receiving pension benefits from the respective plan could then be hired by the City as a non-uniformed employee and participate in the Municipal Employee Pension Plan. This matter was reviewed by Randall Rhoades, Special Counsel for pension matters, and it was determined that nothing contained within the Third Class City Code would preclude this. However, the current wording within the Municipal Employee Pension Plan is imprecise and could be construed to have more than one meaning.

Therefore, it was recommended that the Municipal Employee Pension Plan be amended to provide a definition of "Eligible Employee" which would provide clarity as to the intent to permit an individual employed by the City to participate in the Municipal Employee Pension

Plan while collecting retirement benefits from either the Police or Firefighters' Pension Plan. Mrs. Freenock noted that in the present instance, it is anticipated that a Police officer who will retire in March of this year will be employed in the Building Codes Department.

Upon motion by Mr. Fraser and second by Mr. Zavinski, Council members voted unanimously to approve the ordinance amending the Municipal Employee Pension Plan by redefining "Eligible Employee."

PARKING COMMITTEE

Mayor Cashman noted the Parking Committee report provided by Dr. Ferguson at the December regular meeting of Council and stated that he deems it to be the final report of the Committee. He further stated that the Committee was appointed on a temporary basis and that it has served its purpose. Should it be necessary in the future, the Committee will be re-established.

DEPARTMENT REPORTS – DECEMBER, 2015

The following reports were presented for Council's review:

- Police Department
- Fire Department
- Department of Public Works
- Building Codes Department

APPROVED MINUTES OF BOARDS AND COMMISSIONS

There were no recently-approved minutes to be presented.

ADJOURNMENT

There being no further business to come before Council, Mayor Cashman declared the meeting adjourned.