

**WARREN CITY COUNCIL
REGULAR MEETING
SEPTEMBER 15, 2014 – 7:30 PM**

OPENING OF MEETING

Mayor Cashman presided over the September 15, 2014 regular meeting of Warren City Council in Council Chambers of the Municipal Building and opened the meeting with the Pledge of Allegiance. Mayor Cashman announced that Council met in Executive Session immediately prior to this meeting regarding litigation pertaining to a personnel matter.

ROLL CALL

Members present and responding to roll call were: Mayor Maurice Cashman, Dr. Howard Ferguson, Gregory Fraser, Samuel Harvey, Richard Kolcharno, John Lewis, James A. Zavinski, Sr., and Robin Thomas, Junior Council Member. Mrs. Freenock, Mr. Gustafson, Mr. Hildebrand, Mr. Holtz, Mrs. Leary, Chief Pascuzzi, Mrs. Risinger, Mr. Sceiford, Ms. Stapleford, and Chief Zydonik of City staff were also in attendance.

JUNIOR COUNCIL MEMBER OATH OF OFFICE

Mayor Cashman introduced Robin Thomas and administered the Junior Council Member Oath of Office. Miss Thomas will serve during the 2014-2015 academic year.

RECOGNITION OF VISITORS

Mayor Cashman welcomed all visitors. Present were:

- Dan Ristau: Regarding downtown matters
- Dr. Sunny Thomas: Robin Thomas, Junior Council Member Oath of Office
- Andy Moore: Observing
- Ray Pring, Jr.: Crary Art Gallery Invitation
- Josh Cotton: Times Observer reporter

Dan Ristau invited Council members and all present to attend the 2014 Wine and Art Walk to be held on October 3, 2014 in conjunction with downtown businesses. Mr. Ristau also stated his desire to see the matter of the Crary Art Gallery sign addressed in a manner that would allow for the re-installation of the sign.

Mr. Pring presented Council and Staff members with an invitation to attend the Crary Art Gallery's event commemorating the 50th Anniversary of the Wilderness Act and featuring works by Howard Zahniser.

APPROVAL OF MINUTES

Upon motion by Mr. Lewis and second by Mr. Kolcharno, the minutes of the August 18, 2014 Regular Meeting were unanimously approved.

CORRESPONDENCE

There was no correspondence to come before Council.

ACCEPTANCE OF BIDS: ELM STREET PARKING LOT PROPERTIES

Mrs. Freenock stated that City Staff, as authorized by Council at the June 16, 2014 regular meeting, advertised the sale of City-owned property commonly known as the Elm Street Parking Lot. The offering was for Parcel No. WN-587-1191, the easterly portion of Parcel No. WN-587-1185, and the westerly portion of Parcel No. WN-587-1185. The following were determined to be

the high bidders for the respective lots (the amount stated includes the reserve price to cover City expenses in preparing the parcels for sale):

Ralph Spicer	WN-587-1191		\$4,109.09
Glenn Baldensperger	WN-587-1185	Easterly portion	\$3,600.00
Tim Porter	WN-587-1185	Westerly portion	\$4,000.00

Mr. Fraser made the motion to authorize the sale of the Elm Street Parking Lot Properties per the stated bids and to authorize the Mayor and City Clerk to sign the associated documents. The motion was seconded by Mr. Harvey and carried unanimously.

ACCEPTANCE OF BID: FRANK STREET PROPERTIES

Mrs. Freenock stated that City Staff, as authorized by Council at the June 16, 2014 regular meeting, advertised the sale of City-owned property located at the “upper” end of Mulberry Park and adjacent to Frank Street. The offering was for Lots 2 and 3 of WN-573-6230 with the lots being available for individual or combined purchase.

The sole bid received was from Jodi Arthur in the amount of \$10,000.00 in total for Lots 2 and 3. This bid exceeded the reserve price of \$6,000.00 to cover City expenses in preparing the lots for sale and, therefore, it was recommended that the bid be accepted.

Mr. Lewis made the motion to authorize the sale of the Frank Street property per the bid and to authorize the Mayor and City Clerk to sign the associated documents. The motion was seconded by Mr. Zavinski and carried unanimously.

CONTRACTED SERVICES: SIDEWALK SNOW AND ICE REMOVAL FOR 2014-2016

Mr. Holtz stated that the City advertised specifications and received bids for a two-year contract for Sidewalk Snow and Ice Removal. Mr. Holtz noted that, in an effort to contain costs, the contract contains an option for application of materials only when conditions allow. The sole bid received was from Curtis Contracting and Services.

Upon motion by Mr. Lewis and second by Dr. Ferguson, Council voted unanimously to award the 2014-2016 Sidewalk Snow and Ice Removal contract to Curtis Contracting and Services.

DISPOSITION OF SURPLUS PAVEMENT MILLINGS AND STREET BRICKS

Mr. Holtz stated that as street improvement projects are completed, the City retains pavement millings and street bricks for use in various projects. However, the supply currently exceeds the storage capacity at the City Garage. Therefore, it was requested that approximately 4,000 tons of millings and 2,500 tons of street bricks be declared as surplus property and advertised for sale by sealed bid. Approximately 500 tons of millings and 250 tons of bricks will be retained for use by the City as needed.

Dr. Ferguson made the motion to authorize the disposition of surplus pavement millings and street bricks. The motion was seconded by Mr. Zavinski and carried with six votes in the affirmative and one abstention by Mr. Harvey who cited his business’ interest in submitting a bid for materials.

RESOLUTION NO. 2959: COUNCIL COMMITMENT TO RACP PROJECT

Mrs. Freenock noted that the City is in the process of finalizing the necessary paperwork prior to commencing the Redevelopment Assistance Capital Program (RACP) project which will include necessary repairs and improvements to Liberty Street, the Midtown Parking Lot, the City Fire Hall,

and the City Municipal Building. It is anticipated that the full scope of the project will be discussed at a later meeting of Council. One of the required documents is a resolution indicating the City's commitment to providing \$1,000,000 in funding towards the project. This amount was previously secured in the form of loan proceeds and will be maintained in a separate account.

Mrs. Freenock also noted that the appraised value of the Municipal Building and Fire Hall have been pledged as part of the City's matching funds. As such, these properties must be owned by the City for twenty years; however, the City may "pay back" a prorated portion of the assessed value of the properties if the City wishes to dispose of either or both of the properties prior to the expiration of the 20-year period.

Mr. Fraser made the motion to approve the resolution pledging support of the Redevelopment Assistance Capital Program Project and providing \$1,000,000 in funds. The motion was seconded by Dr. Ferguson and carried unanimously.

COLLECTION OF RECYCLING COLLECTION FEES

Mrs. Freenock noted Council actions taken at the May 19, 2014 regular Council meeting based on a court case which ruled that the collection of recycling fees by a municipality that does not directly provide the recycling service is not permitted. Since that time, the Court ruling was vacated. In addition, Advanced Disposal Services did not execute the agreement for collection of recycling fees and, therefore, did not commence billing for the fees. The City made numerous attempts to communicate with Advanced regarding this matter to no avail.

Therefore, the City contacted Pennsylvania Municipal Service (PAMS) regarding resumption of billing for recycling collection fees. In correspondence from Richard Lear, PAMS President, it was indicated that such billing could resume in October with amounts due for calendar year 2014 to be prorated over the remaining three months (October through December) and regular monthly amounts to be billed from January 2015 forward.

Mr. Lewis made the motion to resume collection of Recycling Collection Fees via billing to be performed by the Pennsylvania Municipal Service Company. The motion was seconded by Mr. Harvey and carried unanimously.

AGREEMENT: ROBERT KULAK d/b/a ABC INSPECTIONS

Mrs. Nau stated that the City Building Codes Department has been operating with two less certified inspectors since 2012. In order to provide Building Code inspection services to City residents as well as residents of the communities with which the City has Intergovernmental Cooperation Agreements (ICA) for inspection services and to appropriately enforce Property Maintenance Codes, it was recommended that the City enter into an agreement with Robert Kulak, doing business as ABC Inspections, for the performance of commercial and residential inspections.

Under the terms of the agreement, ABC Inspections will supplement the services of the City's current one full-time and one part-time employee without hiring an additional employee and would also serve as backup when the current inspectors are not available (i.e. sick leave, vacation). This would allow for timely inspections and also allow the City to devote more attention to Property Maintenance Codes.

Mr. Fraser made the motion to authorize the agreement with Robert Kulak, doing business as ABC Inspections, for the performance of commercial and residential inspections. The motion carried with five votes in the affirmative and two negative votes cast by Mr. Lewis and Mr. Harvey.

SPECIAL MEETING REQUEST

Mrs. Freenock presented City Staff’s request that a special meeting be held on Monday, September 29, at 7:30 PM for the purpose of: 1) Acceptance of bids received for the purchase of excess pavement millings and street bricks as discussed earlier this meeting. (Bids will be opened on 9/29); 2) Proposed Ordinance: Killed in Service Benefit; 3) Correspondence to the Federal Emergency Management Agency (FEMA) regarding the Glade Run Levee System; and 4) Discussion regarding the scope of the Redevelopment Assistance Capital Program (RACP) project.

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members voted unanimously to set a Special Meeting for September 29 at 7:30 PM for the stated purposes.

TOWN HALL MEETING ANNOUNCEMENT

Mayor Cashman announced that he will hold a Town Hall meeting in the Slater Room of the Warren Public Library at 6:00 PM on September 23, 2014. He stated that he will report on progress that has been made in regard to suggestions made at the first Town Hall meeting and will invite public input.

DEPARTMENT REPORTS – AUGUST, 2014

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

Council acknowledged receipt of the following approved minutes:

- | | | |
|----------------------------|-----------------|-----------------|
| Planning Commission | – July 16, 2014 | Regular Meeting |
| Street Landscape Committee | – July 22, 2014 | Regular Meeting |

ADJOURNMENT

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