

Minutes for the West Kittanning Borough Council meeting held September 3, 2013 at 6:30pm at the West Kittanning Fire Hall.

Present: Cliff Neal, President
Bernie Bowser, Sr., Vice President
Nancy Capone
Ken Trudgen
Ed Morris
Andrew Sacco, Solicitor

Absent: Paula Henry
Michele Cogley
Bernie Bowser, Jr., Mayor

The meeting was audiotaped by President Neal and videotaped by Michael Holly.

Public Comment:

Patty Colberg (West Avenue) asked about the progress of getting a No Outlet sign installed on Franklin Hill Road. Ms. Colberg also asked if the daycare owners were approached about notifying their customers of not using the turning lane improperly. President Neal said he was unsure about the daycare situation but would ask Officer Gahagan. President Neal is to meet with a representative from PennDOT next week about the signage.

Ann Jones (Residential Avenue) thanked Council for their efforts in getting the street light constructed at the corner of Residential and North Crescent Avenues.

Marie Mores (Arthur Street) asked permission to close off a portion of Bluff Street on October 5th beginning at 11:00 am for a class reunion and pig roast. There were no objections from Council so permission was granted. The police would be notified. Ms. Mores said she would get cones and wooden horses.

Mike Holly (Butler Road) asked if an application for the billboard ordinance had been drafted and President Neal said no. Mr. Holly asked if updates had been made to the ordinance code book and President Neal said no. Mr. Holly reported that the issue with the dog on McKinley Street had been resolved. Mr. Holly had offered to purchase a dog house for the animal. He ended up getting custody of the dog and taking it to the Orphans of the Storm. Mr. Holly was contacted by a lady, wishing to remain anonymous, who expressed concern for a dog at 101 Lorain Avenue. Mr. Holly presented Council with a letter describing Title 18 of the PA Crimes & Offenses book, §5511 pertaining to Cruelty to Animals. Solicitor Sacco said it is a police matter and for their handling. Mr. Holly expressed a complaint about Officer Airgood. He believes Officer Airgood acted above the Mayor's orders in a certain instance. While testifying for the police, Mr. Holly was belittled in the court room and Officer Airgood did not defend him.

Carol Augustine (Cleveland Street) asked if the Borough had received a lump sum loan for the new building project or if it was a line of credit. Secretary Cowan explained the Borough was approved to borrow up to \$450,000, but will only draw from the line of credit as invoices need paid. Essentially, the Borough will only end up borrowing the actual amount needed to fund the project. Ms. Augustine asked the dollar amount of the Infinity Crane invoice that was approved to be paid at last month's meeting, as it was not listed in the minutes. Secretary Cowan said the invoice was for \$18,000 and apologized for not having it listed. She said from now on, the dollar amount will be included in the motion. Secretary Cowan explained that, aside from that amount, another \$79,900 was drawn from the building loan line of credit to reimburse the Borough's General Fund for invoices previously paid for the project. Loan funds were also used to pay the loan origination and closing costs. President Neal asked Ms. Augustine why she went on the job site and asked the contractors for their payroll information. Ms. Augustine said she did not do that and the only thing she had done was submitted a Right to Know request for certified payroll records.

Council entered into an executive session to discuss financial and personnel matters.

There was a motion by Councilperson Trudgen to approve the previous month's minutes with a 2nd by Councilperson Capone. All were in favor and the motion carried.

Mayor's Report:

The Mayor's report was read aloud by Secretary Cowan in Mayor Bowser's absence. In the month of August there were charges for the following: 2 thefts, 2 receiving stolen property, 1 nuisance violation and 1 DUI. There were also 8 traffic citations issued. The police are reminding residents to use extra caution when driving now that school has started. There is increased traffic and more children on the streets, especially in the mornings and afternoons.

Committee Reports:

Councilperson Capone was contact about a tree at 107 Taft Street that had been uprooted. The tree is on state land but has the potential to take down wires if it falls. Councilperson Capone contacted Vice President Bowser who said he would check it out. Vice President Bowser made PennDOT aware of the situation. He said a lot of other trees in that same area fell after the heavy rain. Councilperson Capone took pictures of the tree and left a message for the property owners.

Councilperson Capone was notified that a section of trees on the bank at 105 Northern Avenue is full of poison ivy. FFI has been mowing the property, except for that area. Councilperson Capone referred the caller to Vice President Bowser. Vice President Bowser will have the street department spray the affected area when we have drier weather.

Councilperson Capone received notification that a resident on Garfield Street cut down and burned a tree that was on Borough property. She said a lot of residents aren't aware of the Shade Tree ordinance and the fact that they are required to replace a tree cut down from Borough property. Councilperson Capone suggested we compose a resident newsletter as we had done several years ago. She had a copy of what was previously distributed. President Neal agreed and said we need to form a committee to draft a 2-sided informational letter. He said we could either mail or hand deliver them. Ms. Colberg suggested we distribute some to local realtors to give to potential buyers. Vice President Bowser said we definitely need to begin strictly enforcing the Shade Tree ordinance. If neighbors notice a tree cut down, they should notify the Borough.

Vice President Bowser said we have a verbal, non-binding lease for the salt shed and we will continue with that agreement for the time being.

President Neal visited Nixon Avenue and noticed that a section of the berm is broken off causing water to run down the hill. He fears that the hillside is going to wash away and said we'll soon need to either rebuild the curb or build a diversion curb.

Unfinished Business:

Councilperson Capone noted that the Butler Petroleum building was finally demolished. She commended Solicitor Sacco for his efforts in contacting them to take action. President Neal will contact the Environmental Protection Agency as the area is still very dangerous. The contractor is not yet finished; they are to be re-building the culvert and fixing the sink hole.

President Neal said the new building is taking shape and the floor was poured recently.

President Neal contacted the pest control agent about spraying the playground. He is to call President Neal with a work date and Vice President Bowser will be notified to meet with him.

President Neal asked the auditors if they had the audit to present. Ms. Augustine said they had just received the website log in information from Secretary Cowan earlier that afternoon. She said they planned to submit the audit electronically on Saturday and would print out the report and the confirmation page to give to Council. Secretary Cowan stated that they could have submitted and filed the audit on paper. President Neal said we would recess this meeting until Wednesday, September 18th at 6:30 pm where the only business would be the presentation of the 2012 audit.

New Business:

Councilperson Trudgen said the advertisement for a part-time police officer has returned 4 applicants. The 4 resumes will be turned over to the Personnel Committee to hold interviews. The committee will have their recommendation at the next regular meeting.

Secretary Cowan explained the first payment request received from Enders Plumbing in the amount of \$7,425.00. The invoice has been reviewed and approved by the engineer and will be submitted to F&M Bank for payment directly from the building loan account. There was a motion by Councilperson Trudgen to pay the invoice with a 2nd by Councilperson Capone. Councilperson Morris voted nay. All the rest were in favor and the motion carried. Secretary Cowan explained the first payment request received from Current Waves in the amount of \$4,365.00. The invoice has been reviewed and approved by the engineer and will be submitted to F&M Bank for payment directly from the building loan account. There was a motion by Councilperson Trudgen to pay the invoice with a 2nd by Vice President Bowser. Councilperson Morris voted nay. All the rest were in favor and the motion carried. Secretary Cowan explained the second payment request received from Infinity Crane & Excavation in the amount of \$19,326.85. The invoice has been reviewed and approved by the engineer and will be submitted to F&M Bank for payment directly from the building loan account. There was a motion by Councilperson Trudgen to pay the invoice with a 2nd by Vice President Bowser. Councilperson Morris voted nay. All the rest were in favor and the motion carried.

The following bids were presented and opened for the paving project requiring 237 tons Superpave Wearing Course. All bids included a bid bond.

1. Derry Construction – Latrobe, PA - \$23,545.95
2. A. Folino Construction – Oakmont, PA - \$28,724.40
3. Force, Inc. – Indiana, PA - \$23,522.25

There was a motion by Vice President Bowser to award the contract to the lowest bidder – Force, Inc. - or the next lowest responsible bidder, if there is a problem with the low bid. There was a 2nd by Councilperson Morris. All were in favor and the motion carried. According to the contract, the work is to be completed on or before October 11, 2013 or else liquidated damages will apply.

There was a motion by Vice President Bowser to pay the bills with a 2nd by Councilperson Trudgen. All were in favor and the motion carried.

On a motion by Councilperson Morris, seconded by Councilperson Trudgen and carried unanimously, the meeting was recessed until Wednesday, September 18, 2013 at 6:30 pm at the West Kittanning Fire Hall.

Continuation of the West Kittanning Borough Council meeting reconvened September 18, 2013 at 6:30pm at the West Kittanning Fire Hall.

Present: Cliff Neal, President
Bernie Bowser Sr., Vice President
Ken Trudgen
Nancy Capone
Michele Cogley
Ed Morris

Absent: Paula Henry
Bernie Bowser Jr., Mayor
Andrew Sacco, Solicitor

The meeting was audiotaped by President Neal and videotaped by Michael Holly.

President Neal asked the auditors if the 2012 audit was complete. Carol Augustine said yes and presented Council with a copy of the 2012 Municipal Annual Audit and Financial Report. She also presented confirmation that the audit was successfully e-filed and the report of audit notes. The auditors also filed the audit with the Armstrong County Prothonotary's office and will forward the necessary information to the Leader Times for publication. All financial records were turned over to Council and Secretary Cowan. The auditors also submitted, on behalf of the Borough, an IRS Claim for Refund form for Form 940 Federal Unemployment payments erroneously made in 2011 by Evans Payroll Processing. Council thanked the auditors for all of their work.

There was a motion by Councilperson Cogley to accept the 2012 audit as presented. There was a 2nd by Councilperson Capone. All were in favor and the motion carried.

On a motion by Vice President Bowser, seconded by Councilperson Trudgen and carried unanimously, the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink that reads "Carly J. Cowan". The signature is written in a cursive, flowing style.

Carly J. Cowan
Secretary/Treasurer/RTKO

SEPTEMBER 2013

ACCOUNT BALANCES

GENERAL FUND	
Balance Ending 9/30/2013	\$273,489.36
STREET REPAIR FUND/LIQUID FUELS	
Balance Ending 9/30/2013	\$41,134.58
SPECIAL PROJECTS FUND	
Balance Ending 9/30/2013	\$5,350.00
BUILDING ACCOUNT	
Balance Ending 9/30/2013	<u>\$9.12</u>

EXPENSES

<u>GENERAL FUND</u>	
TW PHILLIPS/PEOPLES - 7/15 - 8/13	\$ 99.38
BERKHEIMER c/o R. Gahagan Per Capita	\$ 91.30
VOGEL DISPOSAL - haul & disposal 8/7	\$ 428.00
WINDSTREAM - circuits - August	\$ 42.73
WORTHINGTON DIESEL - back hoe repair	\$ 461.60
WALSH EQUIP. - street signs, posts	\$ 377.60
AMERIHEALTH - work comp - 1 of 10	\$ 4,028.02
VERIZON - police cell/air card - Sept.	\$ 154.54
ALLEGHENY GRAPHICS - domain mgmt	\$ 25.00
ARMSTRONG ANIMAL & BUG CONTROL	\$ 200.00
AUTOZONE - misc. supplies	\$ 26.82
BRADIGAN'S - POLICE DEPT - AUGUST (B)	\$ 69.27
BRADIGAN'S - STREET DEPT - AUGUST (B)	\$ 236.44
ESS INSURANCE - Package - September	\$ 675.00
ESS INSURANCE - Package - October	\$ 675.00
F&M BANK - loan interest payment	\$ 327.37
GRECO GAS, INC.	\$ 6.91
KITTANNING LIBRARY - resident dues	\$ 3,177.00
PA LABOR LAW POSTER SERVICE - 2014	\$ 67.25
ROD SHICK - mowing 305 Northern Ave.	\$ 40.00
THRIFT SUPPLY/ACE HARDWARE - misc.	\$ 30.28
TRIB REVIEW - police ad, ad for bids	\$ 190.72
WINDSTREAM - circuits - September	\$ 44.23
XEROX - August base charge	\$ 55.70
ESS INSURANCE - Police Profess. Liability	\$ 2,000.00
BUSY BEAVER - 3 key kwikset	\$ 5.97
AMERIHEALTH - work comp - 2 of 10	\$ 1,518.22
JAWCO FIRE INC. - carbon dioxide rechg	\$ 287.00
VOGEL DISPOSAL - haul & disposal 9/5	\$ 428.00
WALSH EQUIP. - Carter St. single side sign	\$ 55.20
WORTHINGTON DIESEL - F350 repair	\$ 319.40
W.K. HONOR ROLL - memorial wall	\$ 100.00
HEI-WAY - 2.8 tons bituminous matl.	\$ 236.68
NMS LABS - blood testing - DUI	\$ 336.00
WINDSTREAM - 8/4-9/3 & service call	\$ 319.55
WEST PENN POWER - TRAFFIC SIGNAL	\$ -
- PONY FARM RD	\$ 13.68
- ARTHUR STREET	\$ 32.45
- BORO BLDG	\$ -
- TRAFFIC LT. RT .268	\$ 3.97
- STREET LIGHTS	\$ 2,183.50
- BUTLER RD. LIGHT	\$ 5.61
TOTAL	\$ 19,375.39