



CALL TO ORDER

The regular meeting of Titusville City Council was called to order by Mayor Nystrom in the Conference Room at the Titusville Redevelopment Authority at 5:30 p.m.

MOMENT OF SILENCE

Observed

PLEDGE OF ALLEGIANCE

Led by Mayor Nystrom.

ROLL CALL

Mayor James Nystrom, Deputy Mayor Esther Smith, Councilman Pat Cartney, Councilwoman Bonnie Hull, and Councilman Jay Reese.

City Manager Larry Manross, Fire Chief Joe Crotty, Police Chief Gary Thomas, Public Works Director Randy Nebel. Mary Hill represented The Titusville Herald.

NOTICE OF EXECUTIVE SESSIONS

Mr. Nystrom stated Council had a couple of executive sessions since the last regularly scheduled meeting having to do with personnel and a legal matter.

ADOPTION OF AGENDA

It was *moved* by Mrs. Smith, *seconded* by Mr. Reese, and *carried unanimously* to adopt the meeting Agenda as prepared.

APPROVAL OF MINUTES

It was *moved* by Mrs. Smith, *seconded* by Mr. Reese, and *carried unanimously* to accept the minutes of the regular meeting of May 17, 2011, Special Meeting of May 23, 2011, and Special Meeting of June 14, 2011 as submitted and place on file.

BID AWARD

Paving

It was *moved* by Mrs. Smith, *seconded* by Mr. Cartney, and *carried unanimously* to award the 2011 Paving Contract to Vincent Cross Paving, Inc. Union City, PA in the amount of \$173,120.18; contract 1 and 2 and option 3.

Mr. Nebel stated the apparent low bidder after review was Vincent Cross Paving. Their bid was approximately \$20 less per ton than Public Works had expected. He went on say that allows us to not only take care of the base bid, but also add portions of options 1, 2, 3, or 4. The total available in the budget is \$174,015. Mr. Nebel suggested two options using different combinations. Mr. Reese questioned if patchwork comes out of the same line item. Mr. Nebel stated it is a separate line item. Mr. Nystrom asked Mr. Nebel which option he favors. Mr. Nebel stated the base bid and the big part of Park Ave and the City lot for a total of \$173,120.18 the base bid and Option 3. Mr. Reese stated the last time around the City used a different contractor and questioned if Mr. Nebel has ever had experience working with this contractor before. Mr. Nebel stated he has never personally worked with Vincent Cross, but he is well established. Mr. Cartney questioned if there was any chance that some of the millings could be taken down to the area behind Carter Field where the parking lot is. Mr. Nebel stated we can utilize millings

**PUBLIC PARTICIPATION
PERTAINING TO
AGENDA ITEMS**

there as we have in the past prior to football season. Mr. Nebel will check with TRA as they were going to work on some sort of project there where they were going to concrete or pave a portion of their parking there. Mrs. Smith stated when she and Mr. Reese met with Mr. Becker he mentioned there are plans there. Mr. Nystrom stated TRA is planning on putting a new entrance in there so they can get trucks in and out of there easier. Mr. Nebel stated the millings would be stored at the Myer Complex and will be part of an agility program with Cherrytree Township.

None.

REPORTS

It was *moved* by Mrs. Hull, *seconded* by Mr. Reese, and *carried unanimously* to accept the Operational Reports; Building Inspector, Fire, Police, Public Works, and Treasurer for the month of May 2011 as submitted and place on file.

Building Inspector

Mr. Reese requested information on the construction zoning permit denied. Mrs. Smith questioned what the property maintenance violations issues entail.

Fire/Safety Committee

Mr. Reese stated there were an unusually high number of structure fires.

Police

Mrs. Smith questioned the timing on notification of the grant application. Chief Thomas stated we should hear by the end of summer.

Public Works

Mrs. Smith requested information on the clock coming in to town. Mr. Nebel stated he is waiting for Weber, Murphy, Fox to submit plans so he can move forward with the highway occupancy permit. A work box has been left in the sidewalk to power the clock. Mrs. Hull stated it was approved at TRIs monthly meeting this month to have Weber, Murphy, Fox finish up with there engineering which should be done in the next 2 weeks.

Treasurer

Mr. Reese stated it appears that earned income taxes are up. Mr. Nystrom stated we are running about \$17,000 behind in real estate tax collection.

**MINUTES OF BOARDS &
COMMITTEES**

It was *moved* by Mrs. Smith, *seconded* by Mr. Reese, and *carried unanimously* to accept the minutes of the Titusville Housing Authority for April 19, 2011 & May 17, 2011 and Planning Commission for May 12, 2011 as submitted and to be placed on file.

Mr. Reese noted on the May 17th minutes the Housing Authority was talking about their Penelec savings. Mr. Reese questioned the City's electric being up and stated it looks like electricity at the water station is up and the sewer is down. Mr. Nebel stated the water side

was up due to filling the pool over the weekend. It was filled slow which was good for the pumps but it carried us through peak hours where normally we would fill at night. Mr. Nebel stated Public Works had received a request from Titusville Housing Authority to do an audit of all of their meters for an energy performance contract project.

BILL LISTINGS

It was moved by Mrs. Smith, seconded by Mrs. Hull, and carried unanimously to ratify the bill listing warrants dated 5/19/2011, 5/26/2011, 6/2/2011, 6/9/2011, & 6/15/2011

Warrant Dated 5/19/2011 - \$37,859.78 – no questions

Warrant Dated 5/26/2011 - \$21,408.29

Mr. Reese questioned a flat amount of \$900 for Police tires and is there a reason why we use different vendors for tires. Chief Thomas stated the Police Department gets their tires off of State Contract and Burns Tire is the only guy we can get them from.

Warrant Dated 6/02/2011 - \$306,771.37

Mr. Nystrom stated this number is so high because it includes the last payment on the sewer fund for the 2001 Series Bond.

Warrant Dated 6/09/2011 - \$71,078.60

Mrs. Smith questioned if we have a welder at the Public Works garage. Mr. Nebel stated we do, but do not have the capability to weld stainless and aluminum is touchy.

Warrant Dated 6/15/2011 - \$384,317.18

Mr. Nystrom stated there are two payments in here one to the Police Pension Plan and one to the Fire Pension Plan. Mr. Nystrom stated this is the second half of the payments. Fire was 100,464 and Police was 162,934. Mr. Nystrom stated the City's MMO payments have all been made at this point. Mr. Reese stated it is worth noting that the City has to come up with approximately \$500,000 that our investments are not covering and it is a huge burden at this point in time.

OLD BUSINESS

Council Bill No. 1 of 2011
Compensation of Elected
Officials

It was moved by Mr. Reese, seconded by Mrs. Smith, and carried unanimously to adopt Council Bill No. 1 of 2011 – Compensation of Elected Officials on second reading.

Mr. Manross read a portion of the Bill and described the Bill as bringing the salaries equal to what the benefits are. Mr. Nystrom stated people on Council can opt to take whatever their salary is or benefits. Whatever their benefits are over their salary they would have to reimburse the City for the amount over. Mrs. Hull questioned

Council Bill No. 4 of 2011
No Parking Zones

the effective date and why we had to discuss the Treasurer before the primary and we are discussing this now. Mr. Winkler stated it can not be effective for people in office now or elected this fall because it is not being passed soon enough. It would be for a Council member who takes office after the swearing in next year. If somebody would resign next year after the swearing in that person could be under the new plan but nobody else.

It was moved by Mr. Cartney, seconded by Mrs. Hull, and carried unanimously to adopt Council Bill No. 4 of 2011 – No Parking Zones on second reading.

Memorandum of
Understanding – AFSCME
seasonal employee
authorization

Mr. Manross read the summary of the Ordinance including the locations of the no parking zones. Mr. Nystrom stated this was a request from Pitt to make the accessibility of the streets and at the same time the Chief of Police did some other housekeeping with this.

It was moved by Mrs. Hull, seconded by Mr. Cartney, and carried unanimously to authorize the proper officials to enter in to a Memorandum of Understanding concerning the use of seasonal employees by the City for summer mowing and other summer maintenance tasks.

Mr. Nystrom stated the City has come up with an agreement where these people will not be full time and will be paid an entry level rate with no benefits. Mrs. Smith questioned if Mr. Nebel anticipates all the mowing being pursued under this. Mr. Nebel stated if Council authorizes him to put two people on then yes we will go back to the system we had prior. Mr. Nebel went on to say whenever we talked about outsourcing mowing we created a line item in this years budget that is more than sizeable enough to handle two individuals for the rest of the summer doing the mowing. The line item is there we are not looking for the money to do it. The line item was set aside not only to do the mowing in the summer but to cover the snow removal for sidewalks across the city this winter as well. This memorandum of understanding deals with only the summer. Mrs. Smith asked how we came to a line item for that when we just tried to outsource. Mr. Reese stated we attempted to outsource but Mr. Nebel's numbers did not show a savings. Mr. Nebel stated we made provisions in the budget knowing we were not going to have those individuals.

New Business

Special Event Approval –
Drake's Folly Beer Festival

It was moved by Mrs. Smith, seconded by Mr. Reese, and carried unanimously to approve the Drake's Folly Beer Festival on August 13th 2011.

Special Event Approval –
Branch Fellowship Block Party

It was moved by Mrs. Smith, seconded by Mr. Cartney, and carried unanimously to approve the Branch Fellowship Block Party September 17, 2011.

Resignation from Shade Tree Commission

It was moved by Mrs. Hull, seconded by Mrs. Smith to accept with regret the resignation of Ralph Nazarro from the Shade Tree Commission.

Mr. Nystrom stated Ralph has served on that committee for a number of years and taken it very seriously and we certainly owe him a debt of gratitude for his time and his efforts.

*Resolution No. 17 of 2011
Single Audit revision*

It was moved by Mrs. Hull, seconded by Mr. Reese, and carried unanimously to adopt Resolution No. 17 of 2011 approving a single audit revision.

Mr. Manross read a summary of the Resolution. Mr. Nystrom stated that when the auditing firm that we employ now audited the books the special auditing procedure in government auditing requiring a single audit was not being done when they bid on the project now because of some grants that we received through the Airport Authority we exceed the amount and additional audit work needs to be completed. We are still considerably under the budget that we were paying our previous auditors. This amount increases their bid by \$1,500 per year.

Resignation from Library Board

It was moved by Mrs. Hull, seconded by Mr. Cartney, and carried unanimously to accept with regret the resignation of Lois Nazarro from the Benson Memorial Library board.

Mr. Nystrom stated he believes the same thing could be said about Lois and the time she has put in the same as her husband. They are relocating.

*Council Bill No. 6 of 2011
Fire Department Referendum*

It was moved by Mrs. Smith, seconded by Mr. Cartney, to introduce Council Bill No. 6 of 2011 on first reading vote as follows:

Mr. Cartney, Mrs. Smith, Mr. Reese – Yes
Mrs. Hull, Mr. Nystrom - No

Mr. Manross read the summary of the Bill. Mrs. Smith stated she sprung this on Council last week and Mayor Nystrom was not able to be there. She made a statement of what we had put in the budget for the Fire Department and now what the original was going to be we are looking at about \$108,000 deficit and she had many individuals ask her to let them be heard. She went on to say about three to four weeks ago she emailed all Council and thinks she copied our Solicitor to have this added to the agenda and it never was and based on what Mr. Winkler had told us that we have to have a first reading in June, one in July, and then it has to be done by August 8th she wanted to bring that to Council's attention and have this brought up. Mr. Manross stated he has spoken to the bulk of the firemen on this issue and without any opposition they think it's time that this get also put up and decided. He stated he thinks he has spoken to all but three. Mr. Reese commented if the motion is

Approval – Change Order
No. 1 SBR Tanks aeration
system upgrade

going to be to place the referendum on the ballot he supports a paid fire department if it is affordable but when we vote here tonight it is going to be do we want to allow the citizens to have their voice heard. Mr. Reese stated he can talk fire department for hours but the arbitrator has left Council without a whole lot of ideas and as we get in to the second reading and we start discussing both outcomes we will start discussing how you want to pay for it. Mr. Nystrom asked Mr. Winkler if this goes on the ballot in the fall is this is a binding referendum? Mr. Winkler stated there is no good answer to that. Based on the way the statue reads it is, but he will have to say that they is no court decision that has construed what that statue means; it has never been tested.

It was moved by Mr. Reese, seconded by Mr. Cartney, and carried unanimously to approve Change order No. 1 to the SBR tanks aeration system upgrade.

Mr. Nystrom explained that the contractor that has been making the corrections to the aeration system down at the wastewater treatment plant original contract was for about \$358,000 and there were change orders in the magnitude of about \$12,000. Mr. Nebel stated it appears to be working well. The contractor has not been paid since April. This change order will be the final payment except for \$18,000 which will be held until the work is accepted. Mr. Reese commented the change order was very easy to follow and well put together by the Engineer and asked Mr. Nebel to pass that along to them and he could not have been more pleased. Mr. Nebel stated there were additional change orders requested but were rejected because we can do the work cheaper here in house. The sludge removal process was much more involved then they originally thought of. Mr. Nebel went on to say that it is almost unheard of for a project of this size being held to a change order of less than 2%. We are very pleased with that and it is a testament to Gannett Fleming's detail in their project. The change order of \$7,540 is detailed and we all got together and decided the change orders were absolutely necessary. It was an oversight that we didn't think the pipes were going to stick out as far as they were. The total contract balance is \$172,894 after we do a substantial completion inspection Mr. Nebel will come back and ask Council to authorize the final \$18,000 if everything is satisfactory.

PUBLIC PARTICIPATION

Joe Fenstermaker – 226 E Spruce St

Questioned if there were any plans to ever get the state traffic light at Spring and Caldwell working. He works at Universal Stainless and said it is hard getting in and out of there. Mr. Reese stated the City went through an engineering study for traffic for the new lights in town. He has his fingers crossed that a few disappear and Mr. Fenstermaker in turn obviously wants to see one light be back in operation. If the light needed to be turned on it would have been part of the traffic study and they would have had it turned on. Mrs.

Hull stated that PennDot said the light isn't even necessary so to have a blinking light there we are doing really well. It is just to try and slow traffic down to get in and out of there so according to PennDot it is not even necessary.

Kay Cartney – 339 W Mt Vernon St – Relay for Life Chair

Publicly thanked Chief Crotty, City Manager Manross, Mayor Nystrom, and Public Works Director Nebel for the help that they gave at Relay for Life this year. Next year she would like to see a team.

**COMMENTS BY
MAYOR/COUNCIL**

None.

ADJOURNMENT

It was *moved* by Mrs. Smith, *seconded* by Mr. Reese, and *carried unanimously* to adjourn the meeting at 6:35 p.m.

APPROVED BY COUNCIL

THIS 19th DAY OF July, 2011


James A. Nystrom, Mayor

I hereby certify the foregoing to be a true and correct copy of the minutes of the Council Meeting of June 21, 2011.


Diana A. Durstine
Recording Secretary