

**MINUTES**  
**Ford City Borough Council**  
**Special Meeting**  
**Location: Latin American Club**  
**September 28, 2015**

**CALL TO ORDER**

Council President Bartuccio called the meeting to order at 6:05 p.m. and advised the audience that the meeting for Monday, September 28, 2015 will be audio taped by Ford City Borough and Lisa Bittner. Family Life Media will be audio and video taping the meeting. Is anyone audio or video taping the meeting? Jonathan Weaver – Kittanning Paper and Julie Martin – Leader-Times are audio taping the meeting.

**PLEDGE OF ALLEGIANCE**

Bartuccio lead everyone in reciting the Pledge of Allegiance.

**ROLL CALL**

Gene Banks, Beth Bowser, Kathy Bartuccio, Jerry Miklos, Vicki Schaub and Mayor Mantini were present. Josh Abernathy was absent.

**ATTENDANCE**

Solicitor Anthony Vigilante, Borough Manager Eden Ratliff, Borough Secretary Lisa Bittner, John McCreary – Babst & Calland, Bill Bercik – Special Attorney, Amy Moody, Doug McElfresh, Carol Fenyes, Kim Bish, Bill Farmer, Peggy Crawford, Todd Kirkwood, Sandy Ritchey, Shirley Ritchey, Caroline Hassa, Paul & Barb Klukan, Steve Heffner, Tonya Gladysiewski, Gary Stivason, Bill Oleksak, Ted Breuer, JoAnn Scopel, Mary Louise Edwards, Bryan Gilbertsen, Ray Klukan, Lou Vergari, Paul Harmon, Terry Wolfe, Bill Stivason, Tom Ondrusek, Joshua Adams, Jason Warner, Jennifer Klukan, Leo & Linda Kamer, Cathy Eddy, Mr. Bill Bowser, Elma & Eva Soloum, Jerry & Carol Lerner, Tyson Klukan, Terry Chvala, Dan Burk, Allyssa Burk, Mike Mraz, Dennis & Betty Piccoli, Jamie Thompson, Richard Wakefield, Linda Nimerosky, Luke Linnon, Chris Dilick, Rosemary Vasek, Debbie Turko, Dean Hutchison, Diana Mantini, David Croyle, Jonathan Weaver – Kittanning Paper and Julie Martin – Leader-Times.

**MEETING RULES**

Borough Manager asked that the Citizen hold their questions until the comment portion of the meeting. There are three (3) sign in sheets circulating, Policing in Ford City, EDA, open comments.

**EXECUTIVE SESSION**

Bartuccio announced there was an Executive Session on Monday, September 28, 2015 at 4:00 p.m. to discuss matters of potential litigation.

**PRESENTATION FROM POLICE LABOR COUNSEL – John McCreary**

Mr. McCreary explained he has been representing the Borough in matters regarding the Ford City Police Dept. for about three (3) years. He was invited here tonight to explained how we have got to the point Council will be considering the amendment to the [Police] pension ordinance. When he first started representing the Borough the Police had been without a contract for a number of years. The Police had requested Act 111 Arbitration. Which is the Pennsylvania legal provision that permits Police and

professional Fire Fighters who arbitrate their contract disputes with their employers. We engaged in that process and entered into an Arbitration and Award and Agreement back in 2013. That agreement essentially preserved that existed in the pre-existing contract that had expired. Many of which, from my perspective, constrained the Borough's ability to operate the Police Department to manage the Police Department. They weren't really an issue at the time, but moving forward to 2014, when Sgt. Klingensmith retired, the police union took a position that the Borough was obligated to replace him as a Full-Time Officer. The Borough at that point did not want to replace him as a Full Time officer. There was a grievance filed under the agreement. They arbitrated that grievance and the arbitrator agreed with the Police. The way the contract was worded the Borough was obligated to hire a third Full Time officer. At that point we began, knowing that the contract was going to expire anyway, lengthy negotiations with the police union, back in October of last year. So, its been almost a year. We started negotiating with the police union to sort of figure out a way to resolve the grievance that was at issue, hiring the third Full Time officer. Also, to restructure the labor contract, restructure the Department in a manner that made more sense for the Borough's economics. In a way the world has changed since the police force was first established back whenever it was. The labor contract here reflects, what I think is fair to say, when times were better in this town than they are now. It carries forward some of the same provisions, that make it expensive to run a Police Dept. and are reflective of the days gone by. Beginning of this month or last August, one or the other, we finally reached an agreement with the police union about how to restructure the Department. That agreement was memorialized in what is known as "Memorandum of Agreement", which I believe Council adopted or approved at its last meeting. The overview of that is what I want to give you here tonight. The agreement provides for a certain severance arrangement for Sgt. Brice, who will once the agreement becomes effective, will be when the Pension Ordinance is passed. He [Brice] will resign his employment with the Department in exchange for a severance payment. And no longer be employed as a Police Officer in the Borough. Sgt. Atherton was interested obviously in securing his financial future. The current Police Pension Ordinance has an age 55 retirement date in it, which is standard. He [Atherton] requested that the Borough consider reducing to age to age 50. Which he [Atherton] will obtain this year. He [Atherton] has sufficient years of service, which he [Atherton] could retire immediately upon his obtaining the age of 50. Then he [Atherton] will retire at that point. At the end of the year, once those events occur, as soon as the Ordinance is passed, the Police Union has agreed that all of its obligations all of the Borough's obligations to it and to its officers will be satisfied at that point. And the Borough will be free to restructure the Department in whatever manner it deems to be appropriate. One of the ways we got to this point, as I've indicated, is because of language in the old agreements that really sort of constrained the ability of the Borough to manage thru these difficult times. That language appeared in there years ago because people thought it would be advantageous at the time at the end of the day it seemed to interfere with and make it more difficult to manage the police operations. So, with the assistance of the Council Police Committee and the assistance of the Police Union which recognized the problems that both the Borough and they were facing we have come to this agreement. As I say, it is contingent on the amendment to the Police Ordinance, which I think is going to be voted on this evening. I think it will enable the Borough to move forward providing the community with its police protection in a manner that makes more sense for the current economic circumstances that the Borough faces.

Borough Manager directed everyone's attention to a power point presentation concerning Policing in Ford City for 2016. The Council Police Committee has come up with some ideas and are interested in ideas from the community, current Police Officer and Mayor. Borough Manager explained he spoke with Manor Twp. Supervisor Pat Fabian and they are not interested in making a proposal for this year [2016], but that is something they may be interested in for the coming years. (Attachment)

Borough Manager explained Citizen Comments will be taken at this time and because of the number of speakers there will be a five (5) minute time limit tonight.

**Amy Moody** stated the Citizens were told three (3) times at the last meeting this amendment of the Police Pension Ordinance and the lowering of the retirement age, you were asked three (3) times if it was about a “buy out” and all three (3) times you have said “no”. Moody stated she felt it is a buyout. That will put us down to having somebody less than 24/7. We have children in our town, young children that are coming of age that have enough peer pressures to deal with. And we have elderly that cannot defend themselves. They live on life alert buttons to be able to live on their own. To me that is not taking safety to your town. Safety is having full force Police Officers. I seen a fight two (2) days ago, three (3) houses up from mine. I didn’t know if somebody was going to pull a gun, a knife, they very well easily could have done that. Have those shootings from earlier this year not crossed your mind? That poor little boy. I understand that the parents are being held responsible. But, I’ve only lived in this town for three (3) years and I felt safer three (3) years ago than what I do now. I don’t want to live in a town that is constantly bickering and fighting over things. The Police Department is very, very important. There’s drugs in this town whether you want to admit it or not. If you get rid of our Police Department completely it’s only gonna get worse. It’s only gonna get worse. I wish I could protect everybody myself in this town, but I can’t. Please don’t get rid of you Police Department completely. I’m begging you.

Audience claps.

**Carol Fenyes** stated she [Amy Moody] covered her points.

**Shirley Ritchey** stated she [Amy Moody] said what she was going to say.

**Kim Bish** asked the Borough Manager if he said Pat Fabian of Manor Twp. wasn’t interested at this time or he will in the future or he was uncertain?

Borough Manager answered it was open ended. He [Pat Fabian] said at this time they were not prepared to make that proposal this year. Certainly it’s the end of September, they are in budget discussions, they said perhaps in years coming.

Bish stated Borough Manager really should not have put that up there, because it is probably not an option. Is what you are saying basically?

Borough Manager explained he spoke with Pat [Fabian – Manor Twp. Supervisor] around 3:00 p.m. today about it. I had this prepared last week. That’s why I put on there not available at this time. Just because we don’t know if it will be available in the future.

Bish stated that is up to the new Council. Then if Josh Abernathy ever admits that he moved, I did watch the last Council meeting, he has a vacation home. I haven’t figured out if it is in Ford City or in Hyde Park? If he ever admits that he has moved and now after September 3, you wonderful people get to appoint someone for the rest of his term. That person plus the three people that get elected, which hopefully won’t be two of you sitting there now will be stuck with this issue. Which means that they’ve got to decide this whole thing all by themselves. Taking into consideration what the Public says October 5. Which we had a meeting, I believe was August 2014 and everybody opened their mouths and nobody

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on Council listened to that. So, we are having a meeting October 5 with people at this table, maybe four (4) of which won't be here next year. Kinda seems like a moot point to me.

#### POLICE PENSION PLAN – ORDINANCE AMENDMENT

Schaub made a motion to authorize the Council President to sign the proposed amendment to the Police Pension Plan lowering the retirement age from 55 years of age to 50 years of age. (Attachment)  
Seconded by Bowser.

Mayor asked if this has been verified by an actuary that that Pension Fund can withstand this?

Borough Manager answers there was a study done by Mockenhaupt.

Mayor states the Borough gets \$100K each year from the state to fund our Police Dept., and then asked will this still be here?

Borough Manager stated the Borough is not receiving any reduction in State Aid.

Mayor asked if that is a fact?

Borough Manager explains the only reduction is there will be less officers paying in to the Pension Plan, which happens when they retire. When an officer retires, they don't pay into the plan anymore.

Mayor asks at this time, how many people are drawing from the Pension Plan?

Borough Manager stated he does not have that number available to him at this time.

Mayor stated that it is very important that the Public now this.

Borough Manager explained, and it has already been confirmed over and over again, that this plan, the MOA is financially beneficial to the Borough. And that reducing the Pension Plan the age for the post retirement for the Police Pension Plan is not going to have a financial hardship for the Borough.

Mayor asks if that is in writing? Borough Manager answers yes.

Mayor states the Public should be able to see this. He would like to see it himself.

Borough Manager calls for a vote

Motion Carried. 5-0 Unanimous

#### PUBLIC COMMITTEE MEETING – POLICE COMMITTEE

Bowser made a motion that the Ford City Borough Police Committee will be holding a Public Committee meeting on Monday, October 5, 2015 at 5:00 p.m. in the Ford City Public Library for the purpose of accepting Public Comment and ideas on the future of policing in Ford City Borough.  
Seconded by Banks.

Banks stated he might not be able to make that meeting. Banks stated he sympathized with the speakers this evening. There are other options. There were three (3) options shown tonight and none never stated

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the town would not be covered. The City of Pittsburgh has a Public Safety Director. You have no union, you can appoint a person that have some policeman skills. But, they are more like a Borough Manager. Banks asked Council to consider not only a Chief, but a Public Safety Director.

Borough Manager calls for a vote

Motion Carried 5-0 Unanimous

#### POLICE PENSION PLAN – ORDINANCE AMENDMENT

Borough Manager explained the Council President has signed the Ordinance Amending the Police Pension Plan. The Mayor now has 10 days to sign the Ordinance or veto the Ordinance. The 10 day clock starts now.

Miklos asked if Council was going to solicit any ideas from the Public this evening for their ideas on Police Protection?

Borough Manager explained that opportunity was already provided, but it's whatever Council wants.

The Police Committee, Bowser, Schaub & Miklos, welcome any suggestions, the Citizens have between now and October 5.

**Skip Heffner** asked what has been budgeted for the Police Dept. as a whole?

Schaub explained they are waiting for the Early Intervention Program [Civic Research Alliance] to give them the final numbers. They are expected mid-October. At that time the Budgeting will begin. We have not budgeted at this point.

Heffner asked if there has been a feasibility study to determine what is actually needed? Ford City is a small area. What are the Borough's plans to establish what these duties will be? Are you going to have people really out in the Public? Is there a plan for real interaction within the community? How much are we going to be doing to get our young people involved? Because this town is their future.

**Caroline Hassa** stated Heffner is retired and asked why doesn't he start something?

Heffner stated he would like to do that, if given an opportunity. Heffner stated he needs to know from the Borough what they want to do. Heffner stated it is nice to draw up all the plans, but if you don't have the people who are going to back you, the plans mean nothing.....

Miklos stated from our end, we want to know what you want to do. It shouldn't be the Council dictating these issues. That's why we are having this meeting. We are looking for ideas. Incidentally the Leader-Times had it wrong.....

Miklos and Heffner were speaking at the same time. .

Heffner explained he can establish ideas, but he can't establish ideas alone. To establish a Department, there has to be input from the people around him. The first thing he would do would be to get in contact with some people that really want to work. Not just talk about it, work. This is what it will take to make

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our town safe. If it comes up to where I take on that responsibility, I hope that people are willing to work with me. I'm not going to take on that responsibility unless I have the support of you people.

**Kim Bish** stated she has asked the Borough Manager if there was an action plan done or a study done? About what to do when this Police Force is dissolved? The Borough Manager told her no there was not one done. So we are just going to dissolve this one and let it up to the people who already said they want a Police Force to decide to do something with the next Police Force.

Borough Manager explained the reason an impact study was not done on the implications of the Memorandum of Agreement [MOA] and buying out and allowing excuse me the early retirement plan with the two (2) full time Sergeants is because why spend all of our time and resources on doing a study about something that might not come to fruition. So we still don't know if the MOA is going to take effect because the Mayor has the next 10 days to sign the Ordinance the amendment to the Police Pension Plan Ordinance. So, if we were to spend all that time it may have been wasteful. So, if the Mayor does sign that and it does take full force in effect. And we will be doing a full detailed impact study and which will be revealed and made Public to everyone in Ford City to determine what the needs are in terms of Policing in Ford City Borough and how that impacts where we are going for 2016, 2017, 2018, and so on.

Bish asked if that will include recommendations and comments made by Citizens at the October 5 meeting?

Borough Manager answered of course. Tonight, October 5 and any other time too.

Bish asked if they will really listen to what the Public has to say?

Schaub stated she does listen.

Borough Manager stated everything will be taken in to consideration. But this study is also the detailed, we are looking at the UCR's, looking at the arrests, types of crimes being investigated. I mean it's not a matter what people perceive to be happening. It's what is actually happening, and what the data shows.

**Luke Linnon** asked why are you even having a meeting when you haven't even done a study?

Miklos stated they are trying to get public input.

Linnon stated you did that last year in the gymnasium. Concerns were expressed in the meeting held at the gymnasium. It is a pretty generalized consensus, we want police. Whether, how many, that is up to you guys to decide. Jerry you are telling us it is up to us but you guys are gonna do what you guys are gonna want do no matter what.

Miklos stated we want police too. Everybody wants police. The idea is how to we get a great Police Force at an affordable price. That is the question in a nut shell. So, that is what we are looking for ideas from you.

Linnon asked why is it only today that you talked to Manor Twp.?

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Miklos stated we have been talking to Manor Twp. We have had a couple of different discussion with Manor Twp. previously.

Linnon stated we want police you want police there is nothing to bicker about. Figure out a budget, stop the fighting get the study done.

Miklos stated we are not fighting. We are here to have input from everyone.

Linnon stated he has a strong belief PSP is not the coverage for this town. Because they are not going to handle the little tiny thing that we fight about.

Bowser explained after the two (2) Sergeants signed the MOA she researched, thru the Dept. of Justice, the ways to restructure and reform a Police Dept. It gave tips and direction, that being public input the first priority. It was requested of the Borough Manager to send a questionnaire to the surrounding police force. Also, our Mayor and police force get one.

TAPE BREAK - 6:41 p.m. to 6:51 p.m.

#### BRIEF HISTORY OF EDA GRANT VIOLATION

Borough Manager reads from a prepared statement. (Attachment)

Lou Vergari can be heard say “no” after Borough Manager reads the first paragraph of chapter III. Borough Manager continues reading.

Mayor states during the reading of the first paragraph of chapter IV. You know why I went he says. Borough Manager continues reading.

Kim Bish can be heard saying with Jerry. Borough Manager continues reading.

Borough Manager stated this document will be mailed to everyone in Ford City.

Mayor asked who wrote that?

Borough Manager explained it was worked on by several people on Council.

Mayor asked who were the several people?

Borough Manager asked for the people that helped create this to identify themselves.

Mayor stated this threw a lot of people under the bus. Very skeptical of this. All he can recall is the October 3, 2014 letter that was never disseminated to the Public. Mayor explained he never saw that letter till months later and I gave it to the Public. Thank God for a free press in America. God Bless America.

Banks added he was on the Ad Hoc Committee. Banks explained there were some viable proposals made. People actually wanted some of that property over there to start their business. Banks explained he was in the office the day the letter from Willie Taylor was received. The Borough Manager, and

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Banks went to Schaub's house to read the letter. All three (3) were very over joyed. We had the money, because we just had saved a bundle on the Police Dept. Banks asked to tell the rest of the Ad Hoc Committee about the letter. Kathy [Council President Bartuccio] disbands the Ad Hoc Committee. Banks asked why? Told they don't need to know. Now this is strike one (1). The next thing I know nothing is being talked about this subject. The Police Committee takes it and runs with it. Eden [Borough Manager] made the statement that all of us were in agreement of not paying. We weren't. It never came to the table for us to vote on it. Never. A couple of you were at the meeting, do you remember that issue ever coming up? Saying for us to vote to pay or not to pay? No. Because that committee did it themselves. We could have paid the \$116K and Ford City would be in good shape right now.

Mayor thanked Councilman Banks for the clarification.

Banks stated that dissertation read by Borough Manager is not correct.

Schaub stated to Banks that he said the Police Committee has been handling this. Schaub stated she does not think that is correct.

Banks said Personnel Committee, no the Financial Committee sorry Finance Committee. All three (3) of them are on the important committees. I get them mixed up.

Audience claps.

Bowser states she is not on the Finance Committee.

Mayor stated he has a letter that was written to him by a Councilman and he needs it returned. Mayor wants the Public to see what type of chicanery goes on here. The public is shouting for the letter to be read aloud.

Borough Manager asks if this is an agenda item.

Schaub answers that it is not.

Borough Manager suggested the Mayor hold this until the Mayor Comment portion of the meeting.

Schaub stated she seen what he had that and wanted to clarify one thing she verified committees are legal to meet with the Pennsylvania Borough Assoc. I also verified it with Armstrong Counties Borough Association.

Borough Manager stated he could read it under Mayor Comments.

Mayor stated he will let the Public look at it.

TAPE BREAK 7:12 p.m. to 7:20 p.m.

PRESENTATION REGARDING EDA – GRANT VIOLATION – Bill Bercik

Borough Manager introduce Bill Bercik a Pittsburgh based attorney.

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Mr. Bercik explained he met with the Mayor and Council earlier this evening. Also, met with members of Council in of December 2014 to discuss this EDA issue. He is aware that it is a matter of great contention and really a matter of great importance for this community. Even though it is has been a matter of great contention, it does appear to me that Council has been able to meet with each other and with the community to discuss alternative resolutions. And they have made a number of reasonable alternative resolution proposals to the EDA. None of which were accepted. That's where we are right now. The EDA has rejected the Borough's proposals to resolve this matter. It does not mean that the matter is completely unresolvable at this time. Even though I'm a litigator I would encourage further discussions resolving resolution. From my meeting with the Council and the Mayor, it does seem to me everyone is interested in resolving this matter on terms that are reasonable and beneficial to Council. As far as litigation is concerned I'm very happy to report to you, as I believe Eden eluded to, there is no litigation pending right now. You are not being sued by anyone. What happened with the EDA is they closed the negotiation with Council and established a claim with the U.S. Department of Treasury and referred it to the Commerce Department. At this time there has been no word from the Commerce Department regarding the EDA claim. If and when the Commerce Department does respond to this issue it seems to me Council is very well informed of it and would be able to respond appropriately. As I have indicated a willingness to assist them in their response.

**Carol Fenyés** spoke to the Borough Manager. Fenyés did not hear him say why did Council denied receipt of the letter [October 3, 2014] in the April Council meeting? The Mayor brought the issue forward in Mayor Comments. The Council members denied receipt of the October 3 letter.

Borough Manager asked if Fenyés would like him to respond to that? Borough Manager explained he was not in attendance at that Council meeting. He was away mourning the loss of a family member. When he returned and read the newspapers and talked to everyone and learned they denied receipt of that letter. He asked does everyone remember the Executive Session, that was cited in narrative that was read earlier, and everyone had a kind of coming around, oh yes we did have an Executive Session. That is true, that meeting did happen. Council even me and said they did have the letter. So, there was perhaps in that moment of being questioned, sitting at the table, maybe a misremembrance or lack of recollection. Upon my return to Ford City I reminded everyone, yes we did receive it, this is when it happened, this is who was there, this was the conversation that was had. No one denied that at that time.

Fenyés asked the August meeting?

Borough Manager answered no, it would have been the next meeting. No, I would have had that conversation with everyone that week when I returned.

Fenyés asked Businesses in the Heritage & Industrial Park are paying property taxes?

Borough Manager answered, he believes so, yes.

Fenyés asked if that money could not have been used to potentially settle the \$116K and then follow with any litigation?

Borough Manager stated that money would have already been committed in the 2015 Budget. Despite receiving the notification that we did from the Federal Government that money is already budgeted. Being spent on other things. It's not like the money is just sitting there laying around in an account somewhere ready to be spent.

Fenyas referred to the 2014 Budget and used the Police Department as an example, a little over \$500K in 2014 for the Police Department the 2015 Budget took that back to a little over \$291K. So, somewhere there is a couple of \$100K that could have been used to satisfy the \$116K.

Borough Manager stated he did not hear a question. I hear what you are saying. As far as the money that was not spent on Public Safety, where is that money, I understand what you are alluding to. But, if you look at the Budget, you know the money in the Budget there is not anywhere in that Budget just money laying around ready to be spent on something. But, I understand what you are suggesting.

Fenyas says thank you, but I really don't think you do.

Audience claps.

Shirley Ritchey stated she has lived in Ford City for 63 years. For the past 10 year the Council has not been pleasing the people in Ford City. Ritchey asked why Council did not hire this guy back there [Bill Bercik] earlier and save us a lot of money instead of just doing it now when you reneged on your loan? Is there a reason you could have gotten the lawyer earlier?

Schaub explained he has been consulted with at no charge to the Borough.

Borough Manager stated the answer to the question is we have consulted with him and other legal Counsel throughout this process.

**Tonya Gladysiewski** stated it is embarrassing that our town is going through all this year after year after year. My input would be to plead negligence, beg for forgiveness, ask earnestly for reinstatement of the \$116K repayment option over the three (3) years for the sake of the Borough Citizens. Because we are the innocent pawns in this entire debacle. It needs to be acted on immediately.

**Kim Bish** explained the letter she has in her hand is dated 6-24-2014 from Willie Taylor to Kathy Bartuccio. It says they have been working on this for four (4) years and approved an extension until 8-24-2014, and the Borough will need to provide the EDA with a finalized action plan for remedying the outstanding grant violation. As pointed out in his previous correspondence of May 1, [2014] the lack of response and action from the Borough continues to be a concern in the event that the Borough does not submit an action plan for review by the aforementioned due date. The EDA will proceed with enforcement of the next administration action per agency policy. So, what Eden said they asked for was some kind of proposal thing, which by the way I apologize if any of you people were on this Ad Hoc Committee, but, I've got that proposal plan and it is quite interesting. There is not one thing that states that we had a vendor or a business or anyone lined up. It was just like oh hey let's do some kayak renting. Let's have some, this is a proposal, the Army Corps of Engineers that we use we are not going to abandon this site and let's make it a HB Zone for historically based business. The energy department already recognized Ford City as an unprecedented move to Ford City by the Federal Board as the first to adopt a town. So, we want to serve the existing businesses that are already in Ford City. I don't think that is an action plan. It says the Ford City Borough and Lenape are going to hold an annual job fair festival on Ford City Property. The Borough will bring in local industry for interviews to take place giving upcoming graduates a chance to line up a potential career. Fifteen jobs gained from the fair at \$15,000 each is equal to \$300K which allows for job creation and job growth in Ford City. What business, do you see one? I don't. Sorry, if I'm insulting you if you were on this committee. A

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renovated Brownfield with Act 2 Clearance with the KOZ.... its just a bunch of dirt. They put three (3) foot of dirt on top of that stuff and called it remediation. You can dig no lower than 18". Where's the water lines go? So, one of them said there was a Colt Manufacturing Company interested in coming here. Haven't seen one, have you? Has anybody talked to Colt? That was there action plan. To me that is not an action plan unless you've got a business willing to come in to this town. I was on Council for two (2) years. We couldn't find one stinking business to come to this town. There is a nice little shop on Ford Street. Did you know about that? The Gross Embroidery Shop. I asked her [Christy Gross] if anybody from Council came in to welcome them to Ford City. She [Gross] said the Mayor did and a couple of the Police Officers. Bish asked her [Gross] nobody from Council? She [Gross] answered no. Bish stated as far as she [Bish] is concerned we do nothing to entice Businesses here. We do nothing to welcome Businesses here. We owe money to the EDA. Whatever this attorney gives us, he is now charging us a \$5,000 retainer and \$175/hour to do it. So, I can't wait until that adds up \$36,800.00 in maybe a year. And the EDA sees that and they say ya have the money.

Mayor stated he just met Attorney Bercik tonight and he is a very honorable man. What we are dealing with here is a lot of half-truths. Out and out lies. It doesn't come from the attorney. He seems like an honorable man and he is trying to do what is right for the Borough.

Banks states he begs to differ with Bish. Banks explained he was on the Ad Hoc Committee. Banks explained the proposal he had written up it included the guys that do our Fireworks – Glory on High. They wanted to put a warehouse house out there. They wanted to tap in to the market down towards Pittsburgh. They were interested in seven (7) acres.

Bish stated there were many, but nobody acted on anything. There was not an action plan.

Banks stated we were not told to act. We were told to send them to the EDA.

Bish disagrees, Willie said action plan.

Banks stated that was an action plan.

Bish disagrees, this is a proposal. It says the Borough does not submit an action plan for review.

Banks for review.

Bish asks did he review it and what did he say?

Banks answered he sent us back a letter saying \$116K.

Borough Manager stated the back and forth is not good and is not getting caught on the microphone. Borough Manager stated he understand where Ms. Bish is coming from. She is speaking from a less than one (1) page letter from Willie Taylor. Whereas, myself and the other members of the action committee are speaking from multiple conversation with Willie Taylor, phone conversations, myself a meeting in person with Willie Taylor in Philadelphia. I can say with absolute honesty they wanted three (3) to four (4) proposals from the Borough. To suggest ways to resolve the grant violation in a mutually agreeable way to bring the whole matter to a close. We sent seven (7) and then of course the Natural Gas Lease which everyone knows about. Furthermore, I asked Willie, I said you are giving us 45 days, which has already started, so it's less than 45 days I said to come up with what you called an action plan in your

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June letter and yet proposals. I said are you looking like letter of commitment from Businesses are you looking for firm commitments here? And he said no, of course not. How could you ever come up with that in 45 days? It's not going to happen. So, you are looking for us to be very creative. That committee worked very hard. There was a lot of creativity. If you read through those proposals rather than listen to someone else's summary you'll see the creativity involved with it. So, it is what they were looking for. We defiantly showed a good faith effort to EDA to try to bring the grant violation to a resolution. That is what happened.

Bish stated she did read them and she is limited to time up there.

**Lou Vergari** stated he believed Mr. Bercik to be an honorable man. Vergari asked if Bercik had any dealings with the Commerce Dept. Mr. Bercik answered no.

Vergari explained to the Borough Manager Ratliff there is a thing called the "Strawman". Who everybody blames. Vergari stated to the Borough Manager, he [Ratliff] is the "Strawman" here.....

Audience claps.....

Vergari stated they [Council] make the decisions and they [Council] leave the explanations to you.

#### SPECIAL LEGAL COUNSEL

Schaub made a motion to appoint William Bercik as special legal counsel in order to defend the borough in matters regarding the EDA grant violation at the rate of \$175.00 an hour with a retainer of \$5,000. Seconded by Miklos.

Schaub explained there is no money gonna be spent for anything unless we feel there is a need to have Mr. Bercik do anything. So, you see these numbers, it doesn't mean tomorrow we're writing a check. We don't know if there will be any hours. If the retainer is not used, that will be returned back to the Borough.

Fenyas asked, so you are writing our a check for \$5,000?

Unknown man asked Mr. Bercik if he will be returning the retainer if we don't use him?

Mr. Bercik answered, absolutely, yes.

Borough Manager called for a vote.

Motion Carried. 5-0 Unanimous

#### CITIZENS COMMENTS At this time remaining agenda items only.

Sandra Ritchey, Carol Fenyas, and Amy Moody signed up to address Council, at this time they declined. **JoAnn Scopel** stated she will keep quiet, because what she has to say you wouldn't want to hear. Everybody thinks you are a laughing stock.....

Bartuccio stated Scopel must come to the microphone to speak. Scopel declined.

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Tanya Gladysiewski and Kim Bish signed up to address Council, at this time they declined.

**Paul Klukan** – FCRCP explained at the last Council meeting the train was discussed. Some of you people were there and it was said at the next meeting September 28 there would be an agreement wrote up for the turning over of the train to the Renaissance Committee. There is no agreement wrote up. At this point .....

Solicitor Vigilante stated you say it in a way, I talked to you right before the meeting.....

Klukan stated he knows that, they promi.....

Miklos stated let him [Vigilante] speak, go ahead Tony.

Vigilante explained he talked to Klukan right before the meeting. My concern, obviously I have no problem with them having the Train. I didn't even know the Train existed until you brought it up. My concern was, once I thought about it, had some time to talk to Eden a little bit, we have title to a vehicle, and if we turn it over to the Renaissance Committee, what happens if that goes defunct, how do we get the title back? I said to you [Klukan] before the meeting, could we do something wherein, we keep the title in our name and lease it to you for exclusive use. You would be able to have the insurance and do all those things.

Audience yells out, not positive words.

Vigilante stated he did not have a preference one way or the other. I guess the conversation with Eden came up what if you guys are no longer in existence?

Borough Manager stated that conversation came up at the last Council meeting and you said that if Ford City, if you guys lose your 501C3 status, if you guys dissolve for any reason that you will provide the Train back to the Borough.

Everyone is talking.

Klukan explained four (4) years ago that Train was going to be trashed. It was gonna be junked. I took it on, we started a repair. Now all of a sudden there is a problem. There's a problem. What do I do? Like some of the other folks said, we have been in existence for five (5) years. We've done a lot for a this community. Trying to bring people into the community. We do the light up, this past Saturday we had a car cruise in the park called "Salute to Troops". I haven't seen one (1) Council person at my events. A lot of my dances, no Council people. We are bringing in people from way outside of this community. Even the people, the bands we bring in, they say what a lovely town what they can do here. It's an uphill battle with it. With the train, with light up night, with everything.

Vigilante stated that wasn't Council that was me. I told you that before the meeting. I was concerned what happened if the title was in the Renaissance name. Then what happens if you go defunct. It's possible that can happen. Now if Council wants me to give you the title and do it. That's fine, I'll do it. I have no problem.

Klukan stated he had that discussion when I first asked about the train. I said we would turn it over.

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Vigilante asked who is going to turn it over if it doesn't exist anymore?

Unknown man states we will.

**Barb Klukan** explained they are a 501C3, they have Articles of Incorporation. In the Articles of Incorporation it is stated that if we dissolve all our assets go to a nonprofit organization. And we would turn that as the Borough for the Train.

Unknown woman stated that is what Heritage Days has to do.

Scopel stated that didn't.

Vigilante stated that was his concern.

Barb Klukan stated that Solicitor Vigilante could see their Articles of Incorporation. They have Bylaws that stated certain things too.

Vigilante stated he does what Council tell him. They didn't tell me on this one....

Audience members are talking over Vigilante.

Vigilante stated he will do whatever Council wants him to do. I made a decision on my own that maybe there was a concern with getting the title back if they went defunct. But, if that isn't a real concern that anybody is worried about its fine. But, I will do what I am directed to do.

Schaub stated her opinion is that we with our blessings want the Renaissance Committee to have the train and that was mentioned at the last meeting. It was also mentioned that in the event something happened to the Renaissance Committee that it would come back to the Borough. So, it just didn't get sold or torn apart or lost or whatever. Now if it is a title issue of possibly maybe the Solicitor could put it in there that you would have to donate it, yes if you dissolve a 501C3 you have to donate to another 501C3. The Borough, it would need to be specified in there that the Borough would be the 501C3 that it would be donated back to.

Vigilante stated he will get the agreement together.

#### PART TIME STREET DEPARTMENT EMPLOYEE

Schaub made a motion to hire all three (3) candidates, George Ballas, Toby Noel, and William Shrum, as a part time laborer in the Ford City Borough Street Department at the rate of \$8.50 an hour and not to exceed 32 hours per week. Seconded by Banks.

Miklos asked if these positions are subject to the contract?

Borough Manager stated no they are not. They are part time. Part time positions.

Miklos asked so we have no limitation on the number of hours in total?

Borough Manager answered correct.

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Miklos stated or the number of days?

Borough Manager answered correct.

Miklos stated whereby they would have to be full time.

Borough Manager answered correct.

Schaub stated there is maximum hours Jerry. That they will not be benefited.

**Terry Chvala** asked where were they all Summer when this town looks like the condition it's in? There's pot holes. Every Alley Street everything needs paved. Least they can do is patch the pot holes. You can't even ride a bicycle up and down these Alleys or walk safe. Something needs done on that matter. It's terrible. The town is in terrible condition. We are worried about that money to pay back. Why didn't they just pay the money off from the start and be done with it. Be over with it and move on.

Schaub stated we have had a couple of guys off work. One (1) having surgery we didn't know about. One (1) got injured at work that we weren't aware of.

Chvala stated he under stood that and that was all Summer.

Schaub stated there were a couple also that were hired and didn't work out. So, we realize the need.

Borough Manager called for a vote.

Motion Carried. 5-0 Unanimous

#### FORD CITY BOROUGH MUNICIPAL SEWAGE DISPOSAL AUTHORITY - APPOINTMENTS

Borough Manager asked Solicitor Vigilante to explain the process for nomination for the positions on the Sewage Authority, Civil Service and as the Vacancy Board Chairman.

Vigilante stated the names could have been put in there before. But, there doesn't seem to be a consensus. So, somebody should nominate one person at a time. You don't need a second. Just move forward with the nomination and proceed to vote. Take them in the order they come.

**Kim Bish** stated she missed the vote, who was hired.

Borough Manager answered all three (3).

Bish stated because it says a part time. Its 30 hours per week by the way. Anybody that goes over 30 is considered.....

Borough Manager asked the Solicitor if he was finished with his explaina....

Vigilante answers yes.

Banks made a motion to appoint....

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Miklos asked if these are nominations or appointments?

Borough Manager stated we are nominating and stated the Solicitor just explained this. Borough Manager asked Solicitor Vigilante to explain again, Mr. Miklos has a question.

Vigilante stated just say the name of the person you want. You don't have to get a second for a nomination. Say who you want take them in the order they are received and whoever gets the majority gets the position.

Banks made a motion to appoint Sandy Ritchey to the Ford City Borough Municipal Sewage Disposal Authority with a term ending 12-31-2015.

Schaub nominated Mr. William Toy.

Miklos nominated David Knepshield.,

Borough Manager stated all three (3) were nominated. Borough Manager asked Vigilante just to clarify, we'll take it in the order received. If it is a majority vote they are therefore appointed?

Vigilante stated four (4) votes are needed. The majority of full Council.

Borough Manager stated the majority of the full Council.

Vigilante stated correct.

Miklos asked to clarify, even though we have only five (5) members here today?

Vigilante answered yes.

Miklos says pardon me.

Vigilante answered yes.

Borough Manager asked if the first two (2) get four, then we don't vote on the third?

Vigilante answered correct. At that point if they both get appointed there won't be a vacancy any longer.

Borough Manager stated the only other question to stir thing up is the one appointment ends at the end of this year and the second appointment ends in 2019. Does that matter at all?

Vigilante answered he would think it matters.

Borough Manager asked how should we handle that?

Vigilante answered that we should have had this hashed out before we came here.

Everyone is talking...

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Vigilante suggested starting again and do the nomination for the position that is for 12-31-2015. See who is nominated for that position then go to the second position which is the 2019.

Miklos nominates David Knepshield.

Vigilante directed everybody to withdraw their nominations they previously put forward. And start again doing the 2015 first then the 2019.

Miklos, Banks and Schaub all withdraw.

Miklos made a motion to appoint David Knepshield to the Ford City Borough Municipal Sewage Disposal Authority with a term ending 12-31-2015.

Schaub made a motion to appoint William Toy to the Ford City Borough Municipal Sewage Disposal Authority with a term ending 12-31-2015.

Banks made a motion to appoint Sandy Ritchey to the Ford City Borough Municipal Sewage Disposal Authority with a term ending 12-31-2015.

Borough Manager calls for a vote on the first nominee – David Knepshield. Elected Officials speak their vote. [Cannot determine how everyone voted.] Borough Manager calls for a roll call vote.

Schaub	Aye	Bartuccio	Aye		
Miklos	Aye	Banks	No	Bowser	Abstain

Motion Fails 3-1-1

[Previously Solicitor Vigilante stated four (4) votes are needed. The majority of full Council.]

Borough Manager calls for a vote on the second nominee – William Toy. Elected Officials speak their vote. [Cannot determine how everyone voted.] Borough Manager calls for a roll call vote.

Schaub	Aye	Bartuccio	Aye		
Miklos	Aye	Banks	Opposed	Bowser	Aye

Motion Carried. 4-1

[Mr, Toy is now a member of the F.C.B.S.D.A. with a term ending 12-31-15.]

Miklos made a motion to appoint David Knepshield to the Ford City Borough Municipal Sewage Disposal Authority with a term ending 12-31-2019.

Bowser made a motion to appoint Sandy Ritchey to the Ford City Borough Municipal Sewage Disposal Authority with a term ending 12-31-2019.

Borough Manager calls for a vote on the first nominee – David Knepshield. Elected Officials speak their vote. [Cannot determine how everyone voted.] Borough Manager calls for a roll call vote.

Schaub	Aye	Bartuccio	Aye		
Miklos	Aye	Banks	No	Bowser	Abstain

Motion Fails 3-1-1

[Previously Solicitor Vigilante stated four (4) votes are needed. The majority of full Council.]

Borough Manager calls for a vote on the second nominee – Sandy Ritchey. Elected Officials speak their vote. [Cannot determine how everyone voted.] Borough Manager calls for a roll call vote.

Schaub	Opposed	Bartuccio	Opposed		
Miklos	Opposed	Banks	For	Bowser	Yes

Motion Fails 3-2

[Previously Solicitor Vigilante stated four (4) votes are needed. The majority of full Council.]

Borough Manager asked Solicitor Vigilante how do we proceed?

Vigilante stated to bring it up at the next meeting.

#### CIVIL SERVICE COMMISSION – APPOINTMENT

Borough Manager called for nominations for the Civil Service Commission for a term ending 12-31-2016.

Miklos made a motion to appoint Anita Bowser to the Ford City Civil Service Commission with a term ending 12-31-2016.

Bowser made a motion to appoint Carol Fenyes to the Borough Civil Service Commission with a term ending 12-31-2016.

Banks made a motion to appoint Stacy Klukan to the Ford City Civil Service Commission with a term ending 12-31-2016.

Bartuccio made motion to appoint Vicki Schaub to the Ford City Borough Civil Service Commission with a term ending 12-31-2016.

Borough Manager calls for a vote on the first nominee – Anita Bowser. Elected Officials speak their vote. [Cannot determine how everyone voted.] Borough Manager calls for a roll call vote.

Schaub	Abstain	Bartuccio	Aye		
Miklos	Aye	Banks	Nay	Bowser	No

Schaub explains she abstained because she put in a letter of interest [for this appointment] and was interviewed and stated she did not sit in on the other interviews.

Motion Fails. 2-2-1

[Previously Solicitor Vigilante stated four (4) votes are needed. The majority of full Council.]

Solicitor Vigilante suggested this be discussed and readdress this at the next meeting. Because this will happen for every one of these. This isn't going to work this way. I think we need to move forward.

Borough Manager asked if the Civil Service Commission will be removed from the agenda then?

Miklos answered yes.

Borough Manager asked if Council wanted to wait for the Vacancy Chair position too?

**VACANCY CHAIR - APPOINTMENT**

Miklos made a motion to appoint Marlene Szymanski to serve on the Ford City Borough Vacancy Committee Chair with a term ending 12-31-2015.

Schaub nominates Caroline Hassa.

Borough Manager calls for a vote on the first nominee – Marlene Szymanski. Elected Officials speak their vote. [Cannot determine how everyone voted.] Borough Manager calls for a roll call vote.

Schaub	Aye	Bartuccio	No		
Miklos	Aye	Banks	Aye	Bowser	No

Nomination Fails. 3-2

[Previously Solicitor Vigilante stated four (4) votes are needed. The majority of full Council.]

Borough Manager calls for a vote on the second nominee – Caroline Hassa. Elected Officials speak their vote. [Cannot determine how everyone voted.] Borough Manager calls for a roll call vote

Schaub	For	Bartuccio	For		
Miklos	For	Banks	Opposed	Bowser	For

Motion Carried. 4-1

[Ms. Hassa is now the Vacancy Board Chairman with a term ending 12-31-15.]

**WATER TOWER WIRELESS FACILITIES MATTERS - COHEN LAW GROUP**

Miklos made a motion to authorize the Council President to sign the letter of engagement with Cohen Law Group authorizing them to represent the borough in matters related to wireless facilities at the rate of \$225.00 an hour. Seconded by Banks.

Banks, Bartuccio, Bowser and Miklos vote Aye. Schaub states she is is opposed.

Borough Manager calls for a roll call vote.

Schaub	Opposed	Bartuccio	For		
Miklos	For	Banks	For	Bowser	For

Motion Carried. 4-1

**SPECIAL COUNCIL COMMITTEE MEETING**

Monday, October 5, 2015 at 5:00pm in the Ford City Public Library to hear comment and ideas on policing in Ford City Borough.

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**NEXT REGULAR COUNCIL MEETING**

Monday, October 12, 2015 at 6:00p.m. in the Ford City Public Library.

**NEXT PUBLIC WORK SESSION**

Monday, October 26, 2015 at 5:00 p.m. in the Ford City Public Library

**CITIZENS COMMENTS**

Kim Bish stated she is probably wrong, stated she thinks there have been votes before when Mr. Abernathy has not been here where three (3) out of five (5) carried the vote. Am I right or am I wrong?

Vigilante stated probably right. Its different, depends on what the topic is.

Bish asked how can it be different?

Vigilante stated he can't explained the whole Borough Code right now.

Bish stated she will look it up.

Bish asked about the Landlord Tenant Ordinance that Tanya [Gladysiewski] talked about last time. Bish was aware the violations were not sent out for a couple of months. And then somebody decided to reset this. I would like to know who decided? These were police violations. They were phone calls made regarding people in homes making ruckuses or causing problems for other people in town. In her opinion this is equivalent to ticket fixing. So, I'm asking Council who decided, and when they decided, and when the vote was taken to reset those ordinance violations and start them all over again? Was the Mayor notified? Were the police officers notified that wrote them up? Or how did we come to that conclusion? Can anyone answer me?

Borough Manager stated there was no vote was taken. The Borough had no choice but to reset it. Because the letters not being sent out when a disruptive conduct report was written does not give the Code Officer the legal authority to evict someone when three (3) DCR's [Disruptive Conduct Reports] are received within 12 months of each other. So, we had no choice but to reset that.

Bish asked the letters not being sent out did what?

Borough Manager answered that did not give the Code Officer, Jeff Richardson, the legal authority to evict someone if they received three Disruptive Conduct Reports.

Bish asked why didn't it, it says so in the Landlord Tenant Ordinance?

Borough Manager stated it is because it's like they didn't get it. If you didn't know that you had three (3) Disruptive Conduct Reports, how could we possible evict you.

Bish asked why weren't they mailed out?

Borough Manager stated that is a very good question.

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Bish explained when she was on Council the Police brought them over to the Borough Office and they were mailed out.

Borough Manager stated that still happens and it is still happening. The letters come from the Police Dept. to the Borough Office and we provide them to Jeff Richardson. Jeff Richardson per the Landlord Tenant Ordinance, is supposed to send those Disruptive Conduct Reports out. Where that disconnecting is a matter that I cannot speak to. But before you ask that question, and all the Elected Officials chime in I want to answer another question you asked was "Where the police officers notified, was the Mayor notified?" The Mayor and I had extensive conversation about it. Sgt. Atherton and I had extensive conversation about it. The Codes Officer and I had extensive conversation about it. Council was also briefed. So, everyone was involved when this came to light. That we realized this wasn't happening. So, this wasn't happening all the players involved were notified we were trying to figure what was exactly happened.

Bish stated she doesn't remember who mailed them out when she was on Council. It's been a couple of years. Can't remember if it was Jeff Richardson or not.

Borough Manager stated it has to be Jeff Richardson.

Bish stated he is just an interim, he is kind of filling in because nobody wants to come in to this town anymore.

Borough Manager stated Jeff Richardson is the official Building Code Official.

Bish added until we find someone else.

Borough Manager stated we are not actively searching for another BCO.

Bish asked we are not actively searching?

Borough Manager added no we are not.

Bish asked if he [Jeff Richardson] knows we are not actively searching for one?

Miklos added he has been a full codes officer since you voted for him.

Bish said that's right.

Miklos added so I don't understand what you don't understand.

Bish answered because he turned in his resignation.

Borough Manager stated it is his understanding that in September 2013 there was tension between the BCO - Jeff Richardson and the Council. That was before I came here. So, I can't speak a whole lot to it. But, I do know in my own personal conversations with Jeff, that those tensions no longer exist. He is interested and enjoying working in Ford City. He is not quitting.

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Bish stated now we all have to start over again with the people that we all have had problems with. People that have had problems with those people now know who they are. So, nobody wants to call the police on them anymore. That is one of the issues that I have. Does Mr. Richardson now know that he is supposed to send the letters out?

Borough Manager answered absolutely, the restart date was sometime in August. There is also an Ordinance out there that we voted that Council voted to authorize to advertise excuse me at its last Council meeting that takes it instead of Jeff Richardson mailing these letter out they get mailed out directly from the Borough Office. So, it takes one step out of there. It also saves you guys a significant amount of money. Because he was billing the Borough a lot of money to mail a letter certified every time that a Disruptive Conduct Report was written. We are making that process not only more efficient but more cost effective.

Bish asked when this was done, was a vote taken or didn't it need a vote?

Borough Manager stated we are talking about legal authority, I mean have we sent our Code Officer to a house to evict a tenant from a house because they got three (3) Disruptive Conduct Reports? There is no questioning, that we would have lost in court. Because we could not in good faith say or honestly say yes we sent these three Disruptive Conduct Reports. Because they were not sent. That's the issue.

Bish stated so you didn't vote on getting rid of those? Those are police violations.

Schaub stated no there was no vote.

Bish stated so you just got rid of them.

Schaub state she didn't know anything about it. She talked to Mr. Richardson and he said they are being sent out.

Borough Manager stated they are being sent out now.

Bish asked so the ones that have been laying around for two (2) months are being sent out now or the new ones that we are calling in are being sent out now?

Borough Manager stated the new ones. There was a restart date sometime in August. I forget the date.

Bish stated that everybody that has a problem you better start calling again.

Borough Manager added August 13, 2015.

Mayor asked to add on that.....on August 13.....

Borough Manager asked do you want to wait until Mayor comments or do you just want to interject now?

Mayor answered he wants to interject right now, because this is very important. This Landlord Tenant Bill, it took a lot of work to get this passed. I believe it is very effective. It was August 13, 2015. People like to throw people under the bus well somebody come over to me and said they were going to start the

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Disruptive Conducts at one (1). I wasn't very happy about that. The Police Dept. wasn't very happy. This is where it sits right now. But, an individual can come over and say we are going to start this at one (1). Everybody is going to start at one (1). Something is wrong here.

Borough Manager stated he thinks it is important to clarify he certainly did not want to have to restart at one (1). But, we had no choice we would have lost this in court. We would have paid a lot of money to send our Building Code Official there. We would have, people would have known that they would have had three (3) and that we would have lost it would have been a mess. So, we are better off starting off at one (1) now knowing that these letters are being sent out per Landlord Tenant Ordinance #684.

Schaub stated she would like to see Council take that a step further. Because she would like to see that not three (3) within a year. She would like to see that three (3) I don't care if it takes five (5) years or six (6) years, three (3) and you're out.

Miklos stated he agrees with that.

**Jamie Thompson** you are saying for the year. Ok, so half the year all those points are thrown away, right? And it starts in August?

Borough Manager stated it restarted in....

Thompson stated but that was from January to August. There's a lump.

Borough Manager stated it actually, I don't know when it started, I don't know when the first Disruptive Conduct Report was.

Mayor added August 13.

Borough Manager explained all the letters that were written prior so it could be up to a year prior. Not just 2015, it could be more than that.

Thompson asked will we get reimbursed? Obviously, we were paying somebody in the time frame that these letters weren't getting submitted or sending out, right? We were paying this person, correct?

Schaub stated they don't get an hourly wage. They get paid by the job.

Thompson asked did we pay them, because they didn't do the job that they were supposed to do is what I'm saying.

Borough Manager stated we did not pay someone to send these letters out that were not actually sent out. That didn't happen.

Thompson stated so we are not losing any money to somebody that's just sitting there doing absolutely nothing.

Borough Manager stated correct, you are not losing money.

**Carol Fenyes** asked when will the July Treasurer's Report be ready?

Borough Manager stated he hopes it will be ready for the next Council meeting.

Fenyas asked to clarify for the residents of Ford City that thru June the Council has spent \$37,918.94 on legal fees. In 2014 the Council spent \$43,325. So, you are well on the way to spending a whole lot more than that \$43K. Plus tonight you approved a \$5,000 retainer, which we will trust that Mr. Bercik will give back to us if nothing happens. And \$225/ per hour for cell phone tower. So, while we can't pay the EDA we can pay all the lawyers.

#### SOLICITOR COMMENTS

Solicitor Vigilante had no comments at this time.

#### BOROUGH MANAGER COMMENTS

Borough Manager made comments that required no action.

#### CITIZEN COMMENTS

**Amy Moody** asked why some Council members are giving documents to unelected officials?

Bartuccio asked Moody what she is referring to?

Moody asked what do you mean, what am I referring to, it's a simple question.

Bartuccio asked what documents are you talking about?

Moody stated it is a simple question.

Bartuccio asked what documents are you referring to?

Schaub asked who is giving who what?

Moody stated Borough documents.

Borough Manager asked what documents?

Bartuccio asked Moody to elaborate.

Moody stated she could not. She wants to know why some of you Council people are giving documents or paperwork of these closed meetings behind doors to an unelected official.

Bartuccio stated we have no idea what you are talking about.

Miklos asked who is doing that and asked what are the documents?

Moody says she sees it.

Miklos stated to be specific, you just can't make accusat... general blind accusations.

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Moody asked for a show of hands how many would like to see our Fire Dept. stay? How many would like our Police Dept. to stay?

Miklos asked which Police Dept.?

Moody stated it doesn't matter, as long as we have a Police Dept.

Miklos stated he is happy to hear Moody say that.

Moody asked how many with a show of hand, would like a new Council?

Moody stated one last thing the police is just now being addressed to us. You come to us for ideas after 17 months. Why did it take you 17 months to come to the Citizens for ideas?

Miklos stated we are negotiating, that's why.

Moody stated it doesn't matter you should hear what your residents want and their ideas. But, it takes you 17 months to come to us now when you are crunched for time.

#### SOLICITOR COMMENTS

Borough Manager asked the Solicitor to speak about the fact that most of the documents we have are already Public Documents. Vigilante explained a large majority of them are Public record. I don't know what we are referring to so it is hard to make comment. So, if somebody took the budget for example, which is a Public Document and gave it to somebody I don't think that's a problem.

Bish added you have to do a Right to Know request.

Vigilante stated you could do a Right to Know request. I don't think giving it to somebody would violate anything though.

#### MAYOR COMMENTS

Mayor made comments that required no action.

#### COUNCIL COMMENTS

Schaub, Bowser, Miklos Bartuccio made comments that required no action.

Banks had no comments at this time.

#### ADJOURNMENT

Miklos made a motion at 8:25 p.m. to adjourn the meeting. Seconded by Schaub.  
Motion Carried. 5-0 Unanimous

Kathy Bartuccio  
Council President

Lisa Bittner  
Borough Secretary