

**GROVE CITY BOROUGH COUNCIL  
GROVE CITY, PENNSYLVANIA  
REGULAR MEETING JANUARY 19, 2009 7:00 P.M.**

**CALL TO ORDER** by Council President George Pokrant

**PLEDGE OF ALLEGIANCE**

**PRAYER** was offered by Council Member Jeff Black

**ROLL CALL** was answered by Council Members Chapman, Folkertsma, Pokrant, Black, Coulter, Bigley, Talbert, Mayor Riddle and Solicitor Bonner. Members Slagle, Pisano and Hodge were absent.

**REQUEST FOR CITIZENS TO BE HEARD**

None

**APPROVAL OF BILLS TO BE PAID**

Mr. Oakes noted the following additions to the report: water testing by CWM Environmental, \$1,079.00; Verizon phone bill, \$1,223.78; engineering for East Pine Street Storm Sewer by Wodzianski Engineering, \$28,000.00; L/B Water for a fire hydrant to replace one damaged by a vehicle on East Pine Street, \$2,829.31.

**Mrs. Folkertsma moved to approve the bills to be paid report, and the additional bills presented, with a second by Dr. Coulter. The motion carried unanimously.**

**APPROVAL OF BILLS PAID REPORT**

**Mrs. Folkertsma moved to approve the bills paid report with a second by Mr. Chapman. The motion carried unanimously.**

**APPROVAL OF MINUTES**

**A motion was made by Mr. Talbert and seconded by Mr. Bigley to accept the minutes of the Public Meeting and Regular Meeting of December 15, 2008. The motion carried unanimously.**

**CONSIDERATION OF APPOINTMENT** – James L. Fatula, Planning Commission

Mr. Talbert reported that there is a vacancy on the Planning Commission and Mr. Fatula submitted a letter indicating his interest in filling that vacancy.

**Mr. Talbert moved to appoint James L. Fatula to the Planning Commission. Dr. Coulter seconded the motion and it carried unanimously.**

**CONSIDERATION OF ADVERTISING ORDINANCE** – Aggregate Demand Response of Retail Customers of Borough Electric Service

Mr. Oakes reported that AMP-Ohio recommended that we adopt this ordinance, opting out of this FERC order 719, we also have a memo from Charles Wheatley, recommending the same.

Solicitor Bonner noted that this would, basically, protect the customer base from intrusion by an outside force.

**Mr. Black moved to advertise Council's intent to adopt an ordinance for the Aggregate Demand Response of Retail Customers of Borough Electric Service. Dr. Coulter seconded the motion and it carried unanimously.**

**CONSIDERATION OF REQUEST FROM FARMERS NATIONAL BANK –**  
Easter Egg Hunt, Memorial Park, April 11, 2009

**Mrs. Folkertsma moved to approve the request from Farmers National Bank to sponsor an Easter Egg Hunt in Memorial Park on April 11, 2009, pending receipt of insurance certificate. Mr. Chapman seconded the motion and it carried unanimously.**

**CONSIDERATION OF REQUESTS FROM PINE TOWNSHIP**

- Sanitary Sewer Extension, property of Ken Filer, Lee Avenue
- Sanitary Sewer Extension, property of Jason Maker, 88 Old Hickory Lane

**Mr. Bigley moved to approve the request from Pine Township for sanitary sewer service to properties located on Lee Avenue and 88 Old Hickory Lane. Dr. Coulter seconded the motion and it carried unanimously.**

**CONSIDERATION OF PURCHASE** – JCB Wheel Loader, PA GSA Price \$70,851.84

Mr. Oakes reported that the budget included the purchase of a wheel loader to be used at the recycling facility on Greenwood Drive. The state contract price from Walsh Equipment, the vendor on the State Piggyback Contract, was in effect on December 31, 2008. Walsh Equipment stated that they would hold the price for 30 days. There was a 5% price increase on this unit, effective January 1, 2009. He recommended placing the order to lock in the lower price and explore financing options in the coming months.

**Mrs. Folkertsma moved to approve the purchase of a JCB Wheel Loader at the PA GSA Price of \$70,851.84. Mr. Talbert seconded the motion and it carried unanimously.**

**CONSIDERATION OF RESOLUTION 2009-1** – Authorizing Submission of H2O PA Grant

Dan Goncz, Gannett Fleming, Inc., reported that Resolution 2009-1 authorizes the Borough Council President to sign all documents relative to the H2O PA Grant Program. This program was established in July 2008 for municipalities and municipal authorities to receive single year and multi-year grants through the \$800,000,000 package the state has put together. The grant is 50% of the total project cost and must be for projects that are \$500,000 or more. The proposal is to submit a grant application for the Wastewater Treatment Plant Rehabilitation Project. The deadline is February 13, 2009. This

resolution will authorize submission of a grant application for this program, and will authorize the Council President to then sign those documents.

**Mrs. Folkertsma moved to approve Resolution 2009-1, authorizing submission of a H2O PA Grant application. Mr. Chapman seconded the motion and it carried unanimously.**

**CONSIDERATION OF ORDINANCE 1382** – Authorizing Wastewater Service Agreements with the Townships of Pine, Springfield and Liberty, and Harrisville Borough

Solicitor Bonner reported that we had previously authorized advertisement of an ordinance to adopt Wastewater Treatment Service Agreements with Pine Township, Liberty Township, Springfield Township and Harrisville Borough. The agreements have been reviewed in detail. The only changes suggested are to fill in the blank on page 8, section G, stating the interest rate that we will be paying on the bond issuance; in Article 2, section N, changing the interest rate calculation to PNC Bank Prime Rate; and substituting Gannett Fleming, Inc. rather than Gannett Fleming.

**Mr. Bigley moved to adopt Ordinance 1382, authorizing the execution of four Wastewater Treatment Service Agreements with the Townships of Pine, Liberty and Springfield, and Harrisville Borough. Mrs. Folkertsma seconded the motion and it carried unanimously.**

**BOROUGH MANAGER’S REPORT**

Mr. Oakes reported that:

- He has met with Bill Limberg and RPA Associates concerning the engineering design and architectural plans for the proposed library addition. A proposal from RPA has been distributed for review, the Library Board approves the proposal and understand that they are responsible for the full cost of this design. They also understand that they must have the design work to complete the grant application, and there is no guarantee that the grant will be awarded. He recommended that Council approve a contract between Grove City Borough and RPA Associates, because we own the building and the project will be in our name. The understanding is that the Grove City Community Library will be reimbursing the borough for all cost. **Mr. Talbert moved to approve the engineering agreement with RPA Associates, with the understanding that the Library Board is responsible for all costs and contingent upon a letter of agreement between the Borough and the Library Board. Mr. Chapman seconded the motion and it carried unanimously.** A public meeting is scheduled for February 10, 2009 at 7:00 pm to report on the project and fundraising efforts. Mr. Oakes is to draft a letter of agreement for Solicitor Bonner’s review.
- The Police Civil Service Exam has been completed, background checks are currently being performed. A list of eligible candidates is expected for the February meeting.
- Mr. Bigley reported that the Infrastructure Committee met prior to the Council meeting and discussed Resolution 2009-2, opposing proposed amendments to the Borough Code which would provide for “take or pay” contracts for wholesale electricity purchases. Mr. Oakes reported that the

Pennsylvania Municipal Electric Association recommends that we oppose the current legislation because of the way the provisions are worded. It could be harmful to those boroughs who have no desire to participate in a power plant construction project and that they could be forced into take or pay contracts with their electric provider. Solicitor Bonner commented that it may be harmful to our relationship with AMP-Ohio and suggested that Council may not want to take any action at this time. Council chose not to act on this proposed resolution until we see how it appears to be going in the state legislature and more information is gathered.

- Mr. Chapman is chairing a sub-committee on energy audits for Borough facilities and is looking for volunteers to assist him.

### **CONSIDERATION OF ORDINANCE 1381** – Wastewater Treatment Plant Project Financing

Anthony Ditka, bond counsel, reported that this Ordinance allows the borough to incur debt of \$12,190,000 for the wastewater treatment plant rehabilitation project. All participating municipalities have a percentage of the amount to pay, based on 2007 flows. This ordinance will:

- authorize the debt and pledge full faith and payment of this debt
- establish a sinking fund and appoint a depository
- authorizes the sale of bonds to PNC Bank
- authorizes the officers to do all things to close on the issue
- authorizes filing on behalf of the borough with DCED for approval
- authorize execution of all guarantees

All of the participating municipalities are also approving guarantees and pledging their taxing power for a portion of the debt.

Mike McCaig, PNC Capital Markets, reported that bond rates have dropped and final figures are now available. The Borough received a Moody rating of Baa1, which is very good. We are paying bond insurance premiums out of the proceeds, which will give us AAA rates and reduce the cost to the Borough. The interest rate is 5.61% and extends to 2040. Principal doesn't begin to amortize until 2011, when the project is completed. There is no impact on the budget for 2009, about 50% of the debt service will go into 2010 and approximately \$815,000 per year thereafter. Interest rates are fixed. There will be an opportunity to re-finance sometime in the future. The bonds will have a 10-year call without penalty. Bonds were well received, they went to market Friday morning and most are sold.

**Mr. Bigley moved to approve Ordinance 1381, authorizing Wastewater Treatment Plant Project Financing. Dr. Coulter seconded the motion and it carried unanimously.**

### **MAYOR'S REPORT**

Mayor Riddle reported:

- Questions concerning the yearly and monthly police report may be directed to him or Chief Osborne.
- The new computers for the cruisers are in and being installed.
- The new cruiser has arrived.

- The school has provided names of students that may be considered for Junior Council Person.
- Mr. Black and the Police/Fire Committee will tour the Police Department on January 27<sup>th</sup>.
- Officers are noting an increase in pedestrian traffic on roads due to walkways not being cleared. This is a dangerous situation and residents are reminded to clear their walkways as soon as possible after a snowfall.

### **OTHER BUSINESS**

Mr. Black congratulated the Police Department on no deaths due to accident or crime during 2008.

Dr. Coulter thanked Chief Osborne for the useful year-long report that was provided.

Mr. Talbert thanked the Public Works employees for their excellent work on snow removal.

### **NEWS MEDIA**

Council offered clarification for members of the news media that were present.

### **ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned to Executive Session to discuss a personnel issue, not action to be taken, at 8:15 pm.

Paris L. Weiland  
Borough Secretary