



## REGULAR COUNCIL MEETING MINUTES

June 5, 2017 @7:00 PM  
159 MONROE STREET  
PROSPECT, PA 16052

**CALL TO ORDER:** President Bill Marciniak called the regular meeting of the Prospect Borough Council to order @7:00PM. There was a salute to the flag and a prayer given by Pastor Ben Oesterling. The following Council members were present: Mary Harmon, Glen Gitzen, Eric Hilliard, Sam Wagner, Chad Green, Bob Boice and Mayor Jim Butler. Stepanian & Menchyk, LLP Solicitor, Andrew Menchyk and KLH Engineer, Mike McCaffrey were also in attendance.

**APPROVAL OF MINUTES:** There were no changes to the May 1, 2017 Regular Council Meeting Minutes. Mr. Boice made motion to approve the May 1, 2017 Regular Council Meeting Minutes; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

**VISITORS:** Nick Vaccarello plus more residents of Prospect Borough (see attached sign-in sheet).

Nick Vaccarello said that his survey monuments are not located on his corners and wants someone to put them back. He had three (3) Right to Know Requests which he gave to Ms. Marzullo.

Kenneth Hogue said that his company was running out of his garage but his new building was almost completed and is hoping to have his business moved to Franklin Township by the end of the month.

**LIBRARY:** Mr. Gitzen had nothing to report.

**PUBLIC SAFETY:** Ms. Harmon made motion to earmark this years Impact Fees for one (1) police mobile and four (4) police portables for a cost of \$4,786.30; Mr. Hilliard 2<sup>nd</sup>. Motion carried.

Ms. Harmon brought up the possible lawsuit we could have had with the near accident when the mounting bracket for the trailer hitch broke today with George Simcic hauling the crack sealer

Mr. Marciniak designated Mr. Hilliard and Mr. Boice to the truck committee.

Mr. Marciniak said that the radios for the Fire Department would cost \$15,223.31 but he has spoken with Ken Wilson that they had some money put away for them. Ken Wilson said thought that they would need pagers at a cost of approximately \$6,000.00. Mr. Marciniak would like to have these earmarked for the Impact Fees for next year. Mr. Hilliard made motion to earmark next years Impact fees for the pagers for the Fire Department at an approximate cost of \$6,000.00; Mr. Green 2<sup>nd</sup>. Ms. Harmon said "No". Roll call: Ms. Harmon, no; Mr. Wagner, yes; Mr. Boice, yes; Mr. Green, yes; Mr. Hilliard, yes; Mr. Gitzen, yes; chair, yes. Motion carried.

**PLANNING COMMISSION:** Alan Vagasky had nothing to report.

**STORMWATER MANAGEMENT AND STREETS:** Mr. Boice mentioned that they will begin working on Kennedy Road this week and the road will be posted closed.

Mr. Boice said that the crack sealer was finished on the streets last week.



Thanks Sam who helped our workers!

Mr. Boice said that we received the quote for the GIS Mapping for the stormwater. KLH will discuss later.

Mr. Marciniak said the Department of Corrections will be coming in June 13<sup>th</sup> start either painting curbs or painting the office building. These individuals must be supervised at all times. All work per Mr. Marciniak will be directed by the Maintenance Department.

**BUILDING & GROUNDS/MAINTENANCE & FACILITY:** Mr. Boice said that they have prices for a salt bin from three (3) various sources. K&K \$5,250.00, American Steel \$4,300.00 and Gregory Direct \$3,755.00, which we are not sure of set up and delivery charges yet. These charges do not reflect the blocks and concrete pad. Mr. Hilliard has another source so they will call for another quote. Mr. Hilliard motioned to purchase the salt bin but to not exceed \$7,000.00; Mr. Green 2<sup>nd</sup>. Motion carried. Mr. Gitzen said “No”. Roll call: Ms. Harmon, yes; Mr. Wagner, yes; Mr. Boice, yes; Mr. Green, yes; Mr. Hilliard, yes; Mr. Gitzen, no; chair, yes. Motion carried.

**PERSONNEL:** Mr. Green made motion to purchase 5 T-Shirts, 1 hooded sweatshirt and 2 hats for a cost of \$124.00; Mr. Hilliard 2<sup>nd</sup>. Motion carried.

Mr. Green made motion to discontinue reimbursing Robert Hixson the \$10.00 monthly charge for use of his tablet as he no longer uses; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

Mr. Gitzen said that they had personnel issues to discuss in the executive session.

**MAYOR:** Mayor Butler said that he attended the parade and the weather cooperated. He wanted to thank Eugene and the Fire Police, George Simcic, Terry, Higgy and Chuck.



Mayor Butler preformed a wedding and had a donation to the Preservation Society and the Prospect Library.

**POLICE:** Mayor Butler said that there were two (2) complaints, two (2) traffic violations and one (1) warning violation.

There will be letters to send out by Ms. Marzullo for junk vehicles and tall grass.

Mr., Wagner made motion to have the Ford get the tie rods and calipers repaired and inspected for a cost of \$243.86; Mr. Hilliard 2<sup>nd</sup>. Motion carried.

Mr. Marciniak said that we received the compliance letter from Dave Hazlet regarding the Ragan complaint.

Mr. Boice asked Mayor Butler if he knew the schedule for the police for next week as he knew who was to work the parade ahead of time. Mr. Boice also asked about the day the police car was missing, why was no note left. He also asked why the backhoe is being set out and the police car being parked inside. Mr. Boice said there is poor communication between the council and policemen. Mayor Butler said that for Mr. Boice to call him and leave a message. Mr. Boice said that the defibrillator came in but why is it sitting in the police office, should be in the main office.

**SEWAGE:** Mr. Boice made motion to purchase two (2) Myers Pumps and valves for a cost each of \$5,609.00 for a total cost of \$11,218.00; Mr. Green 2<sup>nd</sup>. Motion carried.

Mr. Wagner made motion for KLH to do the GIS Mapping for the Stormwater for \$3,900.00 and to finish the Sewage Mapping for a cost of \$720.00 for a total cost of \$4,620.00; Mr. Hilliard 2<sup>nd</sup>. Motion carried.

Mr. Wagner made motion to agree to the Penn Power Planned Maintenance Agreement for a one-year on the pump station generators (EQ Tank and Wilson) for a cost of \$1,540.00; Mr. Hilliard 2<sup>nd</sup>. Motion carried.

Mike McCaffrey said there has been no movement in the evaluation for DCNR regarding tap requests.

Mr. Wagner made motion to earmark \$6,000.00 (Jan-June) and \$1,000.00 for each additional month to pay for the existing PennVest line of credit which was put in the budget; Ms. Harmon 2<sup>nd</sup>. Motion carried.

Mr. Marciniak said that we received a letter from DCNR giving us a credit for \$7,451.19 on the next invoice for over charging for overages.



Kudos to Higgy for finding these errors!

**OLD BUSINESS:** Solicitor Menchyk said that they are doing the final revisions and will be distributing to draft a codification ordinance to adopt the code.

Solicitor Menchyk said that the Floodplain Ordinance is mandatory by state and we will meet the milestone. We are complying to the timeframe mandated by the state.

Solicitor Menchyk said that Mark West sent a single paragraph and he had to make it more formal, it is in their attorney's hands to review and make revisions. Solicitor Menchyk said we will not sign until they agree to our donation agreement. Both agreements must be motioned by council first.

Solicitor Menchyk said the Right-a-Way letters went out today.

Mr., Marciniak said there will be a meeting with Dressler here at the Borough Building on June 19<sup>th</sup> at 8:30M with Alan Vagasky, Shawn Rosensteel, Solicitor Menchyk, Sam Wagner, Bob Boice and himself.

Mr. Wagner said that he would like to have a Sewage Meeting on Tuesday, June 20<sup>th</sup> at 9AM, Ms. Marzullo to send an email out.

**NEW BUSINESS:** Mr. Hilliard made motion for adopt Resolution 2017-15 the Borough Fee Resolution with changes to the road permits and added escrow; Mr. Green 2<sup>nd</sup>. Motion carried.

Mr. Gitzen made motion to adopt Resolution 2017-16 an Amended Resolution for setting 2017 sewage rates and revised charges form delinquent sewer accounts; Mr. Boice 2<sup>nd</sup>. Motion carried. Mr. Marciniak noted the old resolution had \$6.25 administrative fee and thereafter \$2.00; was changed to ten (10) percent fee and thereafter the same.

Mr. Gitzen made motion to continue with the American Tower Agreement as is; Mr. Hilliard 2<sup>nd</sup>. Motion carried.

Eric Hilliard discussed his situation with the property lines on 310 Wayne Street to add a double wide trailer as they would not meet the requirements for the front and rear requirements. Mr. Hilliard has talked to Alan Vagasky and he said he would have to get the councils permission. Mr. Boice made motion to allow this variance to be passed; Mr. Green 2<sup>nd</sup>. Motion carried. Mr. Hilliard abstained.

Ms. Harmon said that we need a new or Amended Ordinance for roosters, chickens and farm animals as they should not be permitted in the Village Center. In the Residential they should be a limited amount of chickens and only one rooster; agricultural they are permitted. Ms. Harmon said they all should be penned and corralled. Mr. Marciniak asked council do

they want Solicitor Menchyk to write up an ordinance. Ms. Harmon made motion to allow Solicitor Menchyk to write up an ordinance; Mr. Wagner 2<sup>nd</sup>. Mr. Gitzen and Mr. Boice said "No". Roll call: Ms. Harmon, yes; Mr. Wagner, yes; Mr. Boice, no; Mr. Green, no; Mr. Hilliard, no; Mr. Gitzen, no; chair, no. Motion not carried.

Mr. Marciniak said that at the COG Meeting they discussed the Act 172 Fireman's Credit using the Real Estate Tax and they will be coming up with a recommendation at the next meeting. We will postpone this till next month.

Mr. Boice said he wanted something cleared up as he was hearing rumors at the past election what the Borough did with the Shadrack's monies; Mr. Marciniak told him that that we are earmarking this for the codification of the books expense.

**EXECUTIVE SESSION:** 8:16PM ~ Legal and Personnel Matters

**RESUMED:** 8:52PM

Mr. Marciniak said they discussed legal and personnel issues. Solicitor Menchyk to write up a retired package in writing for Higgy; will hold vote.

Mr. Hilliard made motion to advertise for a part-time maintenance worker as needed; Mr. Green 2<sup>nd</sup>. Motion carried.

Mr. Hilliard made motion to pay for Mr. Simcic and Mr. Boice to attend the Stormwater Workshop at the Lawrence County Center on June 13<sup>th</sup>; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

Mr. Hilliard said our sewage system in Prospect is old school and antiquated and we need a computer-generated system. Mr. Hilliard made a motion to let our secretary with the help of a consultant take over the duties of collecting the sewage payments and recording them digitally; Mr. Green 2<sup>nd</sup>. Motion carried. Mr. Wagner abstained.

**PAY BILLS:** Motion made by Mr. Gitzen to pay the General Fund Bills for \$724.48; Mr. Green 2<sup>nd</sup>. Motion carried.

Motion made by Mr. Boice pay the Sewage Fund Bills for \$477.29; Mr. Hilliard 2<sup>nd</sup>. Motion carried.

Motion made by Mr. Boice pay the Highway Aid Fund Bills for \$278.69; Mr. Green 2<sup>nd</sup>.  
Motion carried.

**Round Table:**

Mr. Boice	No additional comments.
Mr. Green	No additional comments.
Mr. Wagner	No additional comments.
Ms. Marzullo	No additional comments.
Mr. Menchyk	No additional comments.
Mr. Gitzen	We really need to look for a new truck ASAP, safety issue.
Mr. Simcic	Go Pens!
Mr. Hilliard	2 <sup>nd</sup> it!
Ms. Harmon	No additional comments.
Mayor Butler	No additional comments.
Officer Tatton	No additional comments.

**ADJOURN:** 9:02PM. No further business at hand, motion made by Mr. Wagner to adjourn;  
Mr. Boice 2<sup>nd</sup>.