

PROSPECT BOROUGH COUNCIL MEETING MINUTES

April 1, 2013 @ 7:00 PM

159 MONROE STREET

CALL TO ORDER: The regular meeting of the Prospect Borough Council was called to order at 7:00 PM by President Jim Harmon with a Salute to the Flag. The following Council members were present: President Jim Harmon, Bob Boice, Glen Gitzen, Ed Robinson, Pete Bryan, Bill Marciniak, Dave Stellfox and Mayor Jim Butler. Other Borough officials present were: Solicitors: Atty Tony Colangelo, Atty Adam Buchanan, Engineers: Chris Eddy, Jim Willard, Chuck Pitchford, Planning Commission: Alan Vagasky, Code Enforcement Officer: Bob Koch, Maintenance: Robert Hixson (Higgie), Police Chief: Chuck Tatton.

APPROVAL OF MINUTES: Ed Robinson made a motion to make the minutes taken by MaryAnn Mahan for the March 4, 2013 meeting, the official meeting minutes. It was seconded by Glen Gitzen. All present voted yes, except Ed Robinson who abstained.

Bill Marciniak made a motion to pay MaryAnn Mahan \$10.00/hr to be secretary pro tem for past and present meeting minutes taken. Dave Stellfox seconded it. All present voted yes, except Ed Robinson who abstained. Minutes from March 21, 2013 meeting will be approved at the next sewage meeting on April 10, 2013, after Jim Willard has a chance to look them over.

Glen Gitzen would like EMS and Public Service categories added to Agenda and into minutes each month.

VISITORS: Kathryn Davis stated that they had recently been in the process of selling their house on 137 Kennedy Road, but HUD stopped it because there is a diesel fuel tank at STA Bus Garage. It is 222' from the corner of their home and the law states that it must be at least 300' away. When they moved to 137 Kennedy Road, the tanks were underground, but they are now above ground. They cannot sell their home due to the existing tank above ground, unless they have a cash sale only. She felt it was Prospect's responsibility to take care of this problem.

Bob Koch did a search and there is no permit issued by Prospect. State and Federal regulations are not enforced by Prospect, but by DEP. Since 2005 when Bob Koch became employed by the Borough, he has not issued a permit for this and does not have old records. He stated that each financial institution has different requirements for mortgages. Prospect would not be the entity responsible for this tank, but DEP would need contacted.

Ed Robinson told her to call DCED (Dept. of Community and Economic Development). They will probably call HUD and ask for an amendment to the loan.

Nick Vacarello: Nick asked who financed the Sewer Authority meeting. The firehall was donated. The engineers and attorneys donated their time. Citizens set up and took down chairs.

LIBRARY: report attached

PLANNING COMMISSION: Alan Vagasky compared original drawings to Mylar drawings by Roxbury families and has approved them. He brought them for the Council to sign and Marion to put on the official stamp. Ed Robinson asked Alan about storing drawings for safekeeping. They are kept in hanging files by Secretary Marion Cannon. The Planning Commission also has a copy on file. Dave Stellfox stated they should develop a procedure for document storage.

PARKS: Bob Boice stated that when the weather gets better, railing will be replaced. Mayor Jim Butler received a letter from Paul Cessar, Business Manager for Slippery Rock Area School District. They will be replacing roofing from June 8, 2013-August 2013 which may interfere with shelter rental. They also would like a sidewalk repaired by the Borough.

STREETS AND STORM WATER: Dave Stellfox stated there was nothing new, except for snow removal.

MAINTENANCE OF FACILITIES/POLICE: Pete Bryan asked Chuck Tatton about the police car and they are still having trouble with a dead battery. The trickle charger is not working to keep it charged. Bob Boice stated that a switch could be added to shut off battery when they pull into garage. It would have to be checked into whether it would interfere with other car functions. CD for car replacement has been established.

PERSONNEL: Atty Adam Buchanan will meet with Bill Marciniak next week about personnel pension fund. After that is done, they will come up with an ordinance to be approved for advertisement for Sewage Committee meeting. It was advertised for assistant secretary/treasurer and there have been 15 applicants. Interviews will be done this week. Council can vote at next month's meeting on new hire. Secretary Marion Cannon had cataract surgery, but will be in the office tomorrow. Glen Gitzen created a form for employees to sign for uniforms. They need returned when employee leaves the job. Bill Marciniak made a motion to put form in personnel file. Dave Stellfox seconded it. Motion passed.

MAYOR BUTLER: Police report attached. There is also a price list attached for weapons for policemen to carry. They may purchase 3 handguns and one assault rifle. The insurance company does not require more coverage, but police must receive training yearly and send certification documents to them. A gun safe will also need to be purchased, along with ammunition. Glen Gitzen stated that Shadeo Lumber is selling ammunition on Route 8. The police office has not been moved yet, but they will look into it. Bob Boice and Chuck Pitchford stated that they know someone who has safes for sale.

EMS: Glen Gitzen stated that Kirk Dalton will be sending new information on emergency planning.

PUBLIC SERVICE: The committee met and Bob Koch brought a plan from another community to look at. It is a 3-5 year plan that was developed by HRG Engineering firm. The Planning Commission should be involved too. They will have solicitors look it over. Currently, there is no plan in place to address the sidewalk situation with citizens. Bob Koch needs to have an adopted plan in order to enforce it. Glen would also like to bring in local contractors to committee to discuss ideas. Borough clean-up days will be Friday, May 17, 9:00 AM-6PM and Saturday, May 17, 9:00-noon.

CODE ENFORCEMENT: Bob Koch had an update on garage location on Stoney Batter Road. Zoning officers will follow-up on it through zoning hearing board. He developed an application and fee schedule for zoning hearing board. Planning Commission meets 3rd Monday of every month at 7:30 PM at Municipal Building. Bob and Alan will work together on this.

SEWAGE: Monty Edgar started repairs on Pump Station. Drew Scott from company that calibrates meter called for service, but Mike Perone who will be providing new meters will do it for free. He can do it next week, but Dan Bickel from Park has not called back to confirm that it is a good time. Chris Eddy stated they are working on getting the record over 3 months for meter reading and billing. (See attached report) The park's meter reading is significantly higher than our computer readings. The percentage difference is 25%. Chris Eddy will have Chuck Pitchford, who is a forensic engineer, oversee the process of computer readings. The Park does not want to change their meter, and wants to continue its use for almost 2 years. The Borough has not signed the agreement yet with the Park. Chuck will bring back documentation to back-up the findings. Nick Vacarello stated that in the past, Weights and Measures from the State needed to calibrate the meter and there was always a difference between the values. Jim Willard stated there is language in the new agreement that addresses that situation. Atty Adam Buchanan stated that DCNR has not sent them a new agreement, which was promised last Thursday. They have told them it is under review from DCNR and OGC (Office of General Council) right now. Atty Tony Colangelo stated that the previous meeting went well and patience is needed. The engineers should also continue to get their readings for next meeting with DCNR. Right now, we do not have positive proof that we did not send gravity flow to the Park. Ed Robinson thanked everyone for donating their time at the Regional Sewer Authority meeting, and he was pleased with the meeting results.

Pete Bryan stated that he is concerned with Prospect's finances. We have a million dollar loan in past sewage and backhoe loans. We also have another million dollar loan through Penn Vest. He is concerned about the debt. Jim Willard made it clear to him that the previous debt is already being paid for in current sewage rates. The new loan from Penn Vest was the Borough's only option, since the state mandated

that the sewage system be fixed, and they also will not lift the moratorium until then.

JIM WILLARD: Reports attached. With the current amount of sewage customers, there will be an approx. \$9-\$12 increase to pay for sewage improvements. This increase will not take effect until at least June 2014. In order to keep costs lower, a few things can be addressed. The water infiltration needs to continue to be lessened. The rate of treatment from DCNR is also still under negotiation. Once the moratorium is lifted, new customers can be added which will also reduce the amount.

The bids have been returned and Jim recommends that we accept 2 individual contractor bids for EQ facility and, rescope the rest of the project and put it out again for bids. Jim read a question and answer sheet that was discussed at the Regional Sewer Authority meeting.

Marlin F. Sarvey asked what the debt service will be for current customers. Jim Butler stated it was \$17.42 in 2009. The amount has decreased since it first started, by changing bank rate and refinancing. New debt service will be approx. \$29 per sewage customer.

Loan closing will be delayed due to rebids.

Contracts 1, 2 and 5 will be rebid, since they are too high.

Right of Way needs addressed.

Hoffman Construction should be awarded contracts 3 and 4 of the individual bids for the general and electrical contract for the EQ basin.

Ed Robinson suggested Borough purchase supplies for the other 2 pump stations, and just bid out cost of labor.

Bill Marciniak stated that he knew sewage work needed done, but questioned whether Borough could reapply for grant money. Jim Willard stated that because of Prospect's affordable rate, Borough could not qualify for grant money. There are other communities in much worse condition. The number of Prospect's delinquent accounts also hurt Prospect's chances of free money.

Nick Vacarello stated that by purchasing the materials separately, qualified DBE are hard to fulfill.

Ed Robinson made a motion that Contract Nos. 2012-3 and 2012-4 for the EQ Facility be awarded to Hoffman Construction Services for the lump sum bid amounts of \$139,893.00 and \$232,117.00, respectively, contingent on the basis that if cost savings can be identified during construction, the final amount of the contracts should be reduced. The contract award should also be made contingent upon the MBE/DBE Documentation being complete and acceptable. It was seconded by Bill Marciniak. All present voted yes, except Bob Boice and Glen Gitzen.

Ed Robinson made a motion that all bids be rejected for Contract Nos. 2012-1 and 2012-2 for the Pump Station improvements and that these two contracts be advertised for re-bid following a reduction in project scope in order to meet Penn Vest funding limitations. It was seconded by Bill Marciniak. All present voted yes.

Ed Robinson made a motion that Contract No. 2012-5 be rebid for the sewer rehabilitation with revised specifications. Bill Marciniak seconded it. All present voted yes.

EXECUTIVE SESSION called at 9:40 PM.
Regular meeting reconvened at 10:00PM.
Discussion on By-laws and procedures.

OLD BUSINESS: Bill Marciniak had information on locked mailboxes. He recommended 2 different ones; one has a double lock. He will also get more information from other companies.
He will be getting information ready for the May Prospector. Everyone should get it to him by Friday, April 27, 2013, so he can send it out by the end of May. Minuteman will get him a pdf file, so it can be put on Facebook and the Prospect website. The next grant form will be put on the Prospect website, so citizens can print it off and send it in, if they wish. Mayor Butler will convert it to a pdf file from Bill.

PAY BILLS: Bob Boice made a motion to pay \$3,334.25 from the General Fund. Glen Gitzen seconded it. All present voted yes, except Ed Robinson who did not have his copy.

Dave Stellfox made a motion to pay \$11,426.00 from the Sewage Fund. Bob Boice seconded it. All present voted yes.

Dave Stellfox made a motion to pay KLH for \$19,105.06 from Penn Vest Fund and Pioneer Microsystems for \$2,990.00 from Penn Vest Fund. Bob Boice seconded it. All present voted yes.

Meeting adjourned at 10:25 PM.

MaryAnn Mahan
Secretary Pro Tem

The next regular Council meeting will be Monday, May 6, 2013.

**GENERAL FUND
BILLS PAID IN MARCH 2013**

BEGINNING GENERAL ACCOUNT BALANCE

\$69,758.87

PAYROLL

| | |
|----------------|----------|
| Robert Hixson | \$890.92 |
| Marion Cannon | \$702.17 |
| Matthew Wagner | \$184.05 |
| Robert Hixson | \$679.78 |
| Marion Cannon | \$718.85 |
| Matthew Wagner | \$296.94 |
| Charles Tatton | \$353.82 |

PAYROLL TAXES

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|----------------------------|------------|
| E-Tides State PR Tax | \$177.71 |
| Federal Tax Payment(EFTPS) | \$1,302.66 |

INSURANCE

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|----------------------|------------|
| Keystone Health Plan | \$950.95 |
| Erie Insurance | \$190.00 |
| Jack Bonus Insurance | \$1,418.30 |

LEGAL & ADVERTISING

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|-----------------------|------------|
| KLH Engineers | \$200.00 |
| Professional Code Ser | \$2,605.50 |

UTILITIES AND TELEPHONE

| | |
|--------------------------|----------|
| West Penn Power | \$338.10 |
| Armstrong (Police Phone) | \$55.45 |
| Peoples Natural Gas | \$221.64 |
| Waste Mgmt | \$60.98 |
| West Penn Power | \$708.40 |
| Armstrong (Office) | \$140.30 |

OFFICE SUPPLIES

| | |
|---------|----------|
| Staples | \$188.88 |
| Walmart | \$34.62 |

VEHICLES

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|------------------------------|----------|
| First National Bank B Hoe | \$365.07 |
| United Refining | \$783.21 |
| Boice Auto Sales | \$436.92 |
| D Forrester Garage Door Open | \$300.00 |

MISCELLANEOUS

| | |
|------------------------------|------------|
| FNB (CD) | \$5,000.00 |
| Stillwagon/McGill W Tx Audit | 2325.00 |
| Walsh Equipment | \$32.20 |
| Minuteman Press | \$320.03 |
| Trader Horn | \$1.99 |
| Roth Milling (salt) | \$1,543.50 |
| T-Shirts & Sew on | \$288.00 |
| Petty Cash | \$58.05 |

TOTAL BILLS PAID

\$21,548.99

MONTH END GENERAL ACCOUNT BALANCE

\$61,019.52

**SEWAGE FUND
BILLS PAID IN MARCH 2013**

BEGINNING SEWAGE ACCOUNT BALANCE

\$50,348.61

PAYROLL

| | |
|----------------|----------|
| Robert Hixson | \$287.02 |
| Judith Raisley | \$281.82 |
| Robert Hixson | \$426.03 |

PROFESSIONAL & LEGAL FEES

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|---------------|-------------|
| KLH Engineers | \$3,043.93 |
| GTN | \$15,344.00 |

SUPPLIES

UTILITIES & TELEPHONE

| | |
|----------------------------|----------|
| Century Link (telephone) | \$36.28 |
| West Penn Power | \$361.97 |
| Prospect Borough Sewage | \$50.00 |
| Robert Hixson (Cell Phone) | \$50.00 |
| West Penn Power | \$186.85 |

OTHER

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|---------------------|----------|
| Butler Eagle | \$364.00 |
| Roxy's Diner | \$50.00 |
| PRAW (Training Hig) | \$85.00 |

LOAN PAYMENTS

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|----------|------------|
| PennVest | \$1,697.85 |
| FNB | \$6,033.60 |

EQUIPMENT REPAIR

EQUIPMENT SUPPLIES

TOTAL BILLS PAID

\$28,298.35

MONTH END SEWAGE ACCOUNT BALANCE

\$50,922.03