



COUNCIL MEETING MINUTES
March 3, 2014 @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 @7:001PM with a salute to the flag. The Council members who were present: Dave Stellfox, Sam Wagner, Mary Harmon, Pete Bryan, Glen Gitzen, Bob Boice and Mayor Jim Butler. GTN Solicitor; Tony Colangelo and KLH Engineer; Jim Willard.

APPROVAL OF MINUTES: There was a minor change to the January 6, 2014 Regular Council Meeting Minutes. Motion made by Ms. Harmon to approve after change made; Mr. Bryan 2nd. Motion carried.

VISITORS: Ron Coyer; S.R. Law, John Rusnak; HRG, Nick Vaccarello plus more residents of the Prospect Borough (see attached sign-in sheet).

Mr. Rusnak discussed the Sidewalk Master Plan. There is no time table when the work will occur because we need to wait till funding is available. Mr. Gitzen wanted to say what an excellent and thorough job Mr. Rusnak did on this project. We need to look for funds and it was mentioned to look into Act 89 for a possible funding source.

Mr. Coyer received one proposal from Rex Energy for the well drilling bids. He gave us a copy to each council member for them to review and to make recommendations for changes. Rex Energy is offering \$2,000.00 per acre with a 16% Royalty; lease 5 year term and 5 year extension. Mr. Coyer feels we probably could get them to go as high as \$2,500.00 per acre. This is a non-surface proposal. He also stated we have a short time line and need to get this addressed as soon as possible.

Mr. Stellfox wanted to know how critical and if this could wait till next month's meeting. Ms. Harmon wanted to know if the residents will benefit also. Mr. Coyer said they would be leasing all the properties in the area. Mr. Marciniak mentioned we need to protect our roads from the heavy trucks and therefore we need to put ordinances in place. This will be tabled till next month to give council time to evaluate and to get an ordinance addressed next month.

LIBRARY: See attached Report.

SIDEWALKS & PUBLIC SERVICES: Mr. Gitzen made motion to adopt Ordinance 2014-1, the Sidewalk Plan; Mr. Stellfox 2nd. Mr. Vaccarello said that there are number of conditions for private property owners. Per Mr. Colangelo we are aware of the new developments and specifications and we will put something in place. Motion carried. Mr. Gitzen said that we do need to make a decision and we need to find ways of funding that are available.

EMS: Mr. Stellfox is looking for an assistant for Kurt Dalton, an Active Coordinator. If anyone has any suggestions please contact Mr. Stellfox or Mr. Wagner. Once they have someone they will set up a meeting with 911.

PLANNING COMMISSION: Alan Vagasky had nothing to report.

Mr. Marciniak went over Ordinance 91-2, Planning Commission Term and Vacancy, and divided the terms up. The changes would be Mr. Vagasky and Ted Davis has 4 year term, Bruce Finke 3 year and Teddy Davis 1 year. All were on 5 year terms. Mr. Bryan made motion to go with these terms; Mr. Boice 2nd. Motion carried.

PARKS: Mr. Bryan went over to the park and all looked good; survived the winter weather.

Mr. Marciniak said we need to address the old Park Rules, been in effect since 1977. It was given to Mr. Bryan to look over; residents versus non-residents versus churches, schools etc. Mr. Bryan to have recommendations for next month's meeting.

STREETS AND STORM WATER: Mr. Boice said the storm water is being worked on and once the weather clears up the street culverts hopefully will be taken care of. It was mentioned maybe the Fire Department could use their fire hose to try to clear the 12" clogged pipe on Kennedy Road and 528. Mayor Butler thinks it may just be ice and need to see first.

Mr. Boice said Mr. Hixson (Higgy) has been doing a good job on the roads.

Mr. Marciniak mentioned we received the Liquid Fuels money; \$29,355.14.

MAINTENANCE & FACILITY, BUILDING & GROUNDS: Mr. Bryan said that the garage door opener in the garage was purchased, installed and working great. He stated the plow was welded and fixed. There are signs in the maintenance shed that need to be organized to make more room in the shed. We also stated we need insulation added to the maintenance building.

Mr. Wagner stated that the locks are on the doors and the new doors are being installed. This work should be done by the end of this week.

Mr. Wagner wanted to thank Ms. Marzullo's husband, Joe's work (UAW) donating furniture to our building and Mr. Boice with all his helpers to move the furniture.

The old keys can be thrown away and all new keys are numbered per Mr. Marciniak. These keys are property of the Prospect Borough; can not be duplicated or borrowed out. Any keys for someone renting/using the hall must be signed out.

The EQ Tank and lift station keys changed too. The only keys not changed are the maintenance building. Per Mr. Gitzen get an estimate since they are working on them now.

SEWAGE: Ms. Harmon and Mr. Wagner resourcing for a camera for the sewage system; to rent or buy. They need to do more research yet.

Mr. Willard went over the Consulting Engineer's Report (See Attached Report). Mr. Willard needs council action to change existing orders. Mr. Marciniak entertained for someone to make motion to accept the change orders 2012 -1R and 2012-2R. Mr. Gitzen made motion to accept the new change orders; Mr. Wagner 2nd. Motion carried.

Penn Vest Request#5 for \$144,512.73 plus the KLH Engineering Fee and reimburse the Line of Credit for \$40,000 needs approved per Mr. Willard and Mr. Marciniak entertained for someone to make motion. Mr. Wagner made motion to Pay Request#5 for \$144,512.73 plus Engineer Fee and reimburse the Line of Credit for \$40,000; Mr. Gitzen 2nd. Motion carried.

KLH requested a short term quote for monitoring services to access the volume of flow. The cost is \$2,000.00 for three monitors to be installed for a period of two weeks. This needs council action to have installation done by Drnach Environmental, Inc. Mr. Marciniak entertained for someone to make motion to approve the cost of \$2,000.00 for the three monitors and installed by Drnach. Mr. Wagner made motion to approve the cost of \$2,000.00 for the three monitors and installed by Drnach; Mr. Stellfox 2nd. Motion carried. Mr. Willard highly recommended Drnach. Mayor Butler said this was a good time to receive data and Mr. Willard said it would not hurt to wait if we wanted to get an average flow; example get some wet weather in. It may also be a good idea to have this done again during the Butler Fair timeframe to get a comparison.

Mr. Marciniak entertained the idea to authorize work for Hoffman Construction Services for installation work along Wilson Road within the existing right-of-way. This will be paid for with the Liquid Fuels Monies. Since the price was above \$10,000 we need two more quotes per Mr. Colangelo. Mr. Boice made motion to use Hoffman Construction for installation contingent upon the two quotes; Mr. Gitzen 2nd. Motion carried.

One must remember per Mr. Willard the Crab Run Culvert is a separate issue. This will be the additional right-of-way acquisition to complete the installation of the 26" culvert pipe and wing walls at the crossing of Crab Run.

PERSONNEL: Marion Cannon retired to travel with her husband and we did receive a letter of resignation. Mr. Marciniak entertained for someone to make motion to accept her letter of resignation. Mr. Gitzen made motion to accept her letter of resignation; Mr. Bryan 2nd. Motion carried.

Mr. Marciniak entertained for someone to make motion to change Ms. Marzullo, Assistant Secretary/Treasurer, to Secretary/Treasurer on this day March 3, 2014; Resolution 2014-5. Mr. Bryan made motion to change her job title to Secretary/Treasurer; Mr. Boice 2nd. Motion carried.

There will be more information in the executive session.

MAYOR: Mayor Butler attended the tax Collection Meeting; which they elected new officers. It was mentioned in the meeting that Berkheimer was doing a good job.

Mayor Butler went over Police Report. Mr. Bryan stated he was glad that they used both police cars but there is still a speeding issue in Prospect. Mayor Butler said once weather breaks we can get the lines painted on the roads. Mayor Butler had a meeting with Chuck Tatton, Matt Wagner and Don Lutz last month and had a good meeting.

Mayor Butler showed the new ID tags. All products to buy these are under \$125.00 from Avery Labels. Mr. Bryan made motion to purchase the Avery products to make these tags; Mr. Gitzen 2nd. Motion carried.

Mr. Marciniak went over Bob Koch's Activity Report. We received a new PCS Agreement; Mr. Colangelo to look over and also mentioned we need a Fee Resolution.

OLD BUSINESS: We received the new Compliance Posters today.

The Prospector needs approved as it will be mailed out in a few days. Mr. Marciniak mentioned a restaurant put an advertisement in letter. It was suggested maybe do this for all businesses but use for advertisement a "one time" Free Ad and the next time than charge a fee to help with the distribution of the Prospector Mailing. Mr. Marciniak asked that he needed a motion to send out the Prospector as is. Mr. Bryan made motion to mail out the Prospector; Mr. Boice 2nd. Motion carried.

We are still using Marion Cannon's personal email address and this email address needs to be removed as we have been sending out correspondence of the change to our new email address. Mr. Stellfox made motion to remove her email; Mr. Bryan 2nd. Motion Carried.

Mr. Bryan and Mr. Marciniak went through the Policies and Procedure Books and gave the changes to Ms. Harmon. She is in the process of scanning, making changes and eventually putting all on a disk.

We received the Insurance check for the pick-up accident. Mr. Marciniak asked should we wait till spring or summer to fix and what to do with check. It was decided to fix truck once weather got better and was a good timeframe for Mr. Hixson (Higgy) to do without the vehicle. It was decided to deposit the check for now.

NEW BUSINESS: The BCTCC needs an approved delegate and alternate. Mr. Stellfox made motion for Mayor Butler to be delegate and Mr. Boice alternate; Mr. Wagner 2nd. Motion carried.

We recently applied and received a VISA charge card from FNB Commercial. Mr. Marciniak said we need stipulations; approval by council ahead of time. Mr. Bryan made motion to only use the card once the purchase was approved by council; Mr. Boice 2nd. Motion carried.

We recently received another Kwik Fill Credit Card (extra card) for the Police Department. The Police Department requested one for each car.

Act13 – Gas Well Fund Usage Report; this needs completed by April 15th per Ms. Harmon.

Mr. Marciniak asked what the difference was between Municipal Liens and Private Liens. Mr. Colangelo said there is a variety of procedures and needs to know how aggressive we want to get. Mr. Colangelo will look into further and discuss with Judith Raisley; Tax Collector.

There is another Memorial Day Parade this year and we need to close down Main Street. We also have to close the street down for the Car Cruise. All paperwork work was given to Mr. Colangelo for permits.

The Line of Credit from PNC Resolution needs to add Vice President to the list in case the President can not sign; for now the Resolution only has President and Secretary. Mr. Colangelo was given all paperwork.

Mr. Marciniak passed out the shirts and hats costs (see attached). He wore the shirt and hat to the meeting and they are really nice! If anyone wants to order/purchase any please see Mr. Marciniak.

Bronder Technical Services sent us a new agreement for 2014. It was suggested we get a Certificate of Insurance for \$1,000,000.00. Mr. Marciniak entertained for someone to make a motion to approve new agreement. Mr. Boice made motion contingent we receive a Certificate of Insurance first before sending agreement; Mr. Gitzen 2nd. Motion carried.

Mr. Bryan said that he had met with the Librarians and was wondering if we had a Welcome Wagon for new people moving in.

Executive Session: Mr. Marciniak made motion to go into Executive Session @ 9:04PM.

Resumed: 9:45PM.

Mr. Marciniak asked to make a motion to accept confidentiality clause release and conditions dated February 26, 2014. Mr. Bryan made motion to accept confidentiality clause release and conditions dated February 26, 2014; Ms. Harmon 2nd. Motion carried.

Per Mr. Marciniak we will continue to have the office open Monday through Thursday from 8AM – 3PM; closed Friday through Sunday. Mr. Bryan made motion to have the office open Monday through Thursday from 8AM – 3PM; closed Friday through Sunday; Mr. Boice 2nd. Motion carried.

Mr. Marciniak asked to make motion to increase Ms. Marzullo's pay to equal what we were paying the past Secretary (Ms. Cannon). Mr. Bryan made motion to increase Ms. Marzullo's pay to equal what we were paying the past Secretary (Ms. Cannon); Mr. Boice 2nd. Motion carried.

Mr. Marciniak went over the quote for the computers \$7,550.61 which included setting up fees. This includes three computers and two laptops. It does not include the bracket or GOB1 Cards. Ms. Tammy Boice thought the quote was a good one and that the recommendations were what she would have done. Mr. Stellfox made motion to approve the quote for the computers \$7,550.61; Mr. Bryan 2nd. All approved but Bob Boice; abstained. (Mr. Gitzen absent.)

The Erie Insurance Audit of \$4639.00 that is due back to Erie Insurance. We have worked with the billing department and are on a payment plan of \$500 per month to resolve.

Mayor Butler would like approval for three rain coats; \$50.00 each up to \$150.00. Mr. Stellfox made motion to purchase three rain coats up to \$150.00; Ms. Harmon 2nd. All approved but Bob Boice. Mr. Wagner; abstained. (Mr. Gitzen absent.)

PAY BILLS: General Fund Bills was Ok'd to be paid as the monies came in. Motion made by Mr. Bryan to pay; Mr. Stellfox 2nd. All approved but Bob Boice. (Mr. Gitzen absent.)

Sewage Fund Bills was Ok'd to be paid. Motion made by Mr. Bryan to pay; Mr. Boice 2nd. Motion carried.

Highway Aid Fund Bills was Ok'd to be paid. Motion made by Mr. Stellfox to pay; Mr. Boice 2nd. Motion carried.

Mr. Wagner made motion to transfer \$5000.00 from the Sewage Fund to the General Fund; Mr. Bryan 2nd. All approved but Mr. Boice (Mr. Gitzen was absent.) Per Mayor Butler we owe back past monies of \$23,435.00 so with this transfer we now will owe \$18,435.00.

Round Table:

Motion made by Mr. Stellfox for Mr. Willard to acquire for a land requisition right-of-away; Mr. Boice 2nd. Motion carried.

Round Table:

Mr. Bryan – Would like to have a regular traffic light at corner. This would need engineering study, getting the state involved and would be very expensive.

Mr. Boice – Does not understand the concept of how our Bills Paid Reports are, too confusing.

Mr. Stellfox – Kennedy Road towards Connoquenessing needs sand or non-slip material on it when there is snow and/or ice.

ADJOURN: 10:18PM. No further business at hand, motion made by Mr. Boice to adjourn; Mr. Bryan 2nd. Motion carried.