



## REGULAR COUNCIL MEETING MINUTES

August 1, 2016 @7:02 PM  
159 MONROE STREET  
PROSPECT, PA 16052

**CALL TO ORDER:** President Bill Marciniak called the regular meeting of the Prospect Borough Council to order @7:02PM. The following Council members were present: Mary Harmon, Bob Boice, Chad Green, Sam Wagner, Glen Gitzen and Jim Butler. Eric Hilliard was absent. GTN Solicitor; Anthony Colangelo and KLH Engineer; Shawn Rosensteel were also in attendance. There was a salute to the flag then a moment of silent meditation.

**APPROVAL OF MINUTES:** There were no changes to the July 5, 2016 Regular Council Meeting Minutes. Mr. Boice made motion to approve the July 5, 2016 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 asked if we had a resolution on the storm water project on his property. Mr. Marciniak told him we just got the memos, have to review first and we will get back to him. Mr. Vaccarello stated that he brought two (2) stump trees to the Borough on Clean Up Days for us to burn and said he planned on bringing in twelve (12) next year. He stated that he cannot burn without going into the following day; which would be a Sunday. Mr. Boice told him that he can obtain a permit from the Mayor to have permission to burn on a particular Sunday. Mr. Vaccarello also stated that he was the one that turned us in to the DEP for burning wood (his stumps) from Clean-Up Days. Mayor Butler said that we (the Borough) did not have to accept anything we did not deem plausible on our Clean Up Days.

Jim Davis told Council that he could provide a survey of his property. Mr. Marciniak told him that is not an issue for us; that it was between Dressler and him.

Jim Shingleton has burning concerns as we are not a country as we have homes close together. He stated having a burning barrel next to someone's house is absurd as the smoke puts out health concerns. He said he received the letter from our solicitor but feels

we are making it far easier for the police to just ignore the problem. He says it's just not the smoke it's the dioxins. Mr. Marciniak said that we will take this under advisement but wanted to make it clear that since the early 1900's we have had a Burning Ordinance in place and the only thing we changed was the hours, change the day not to burn from Monday to Sunday and to put the smoke clause in. Since we made this change we have been bombarded with complaints so that is why we are removing the smoke clause.

Jim Roxbury has a catch basin along his property on Route 528 that keeps on getting full with water and will not drain. Since Route 528 is a state road it is not our problem.

Jim Shingleton said that the corner of Pleasant Street and Route 488 the property is 8 inches lower than the street and Penn Dot is ready to pave it. He stated that this will cause water to collect there and cause problems in the winter. Mr. Hixson state that the neighbor's sump pump is causing some of this. Mr. Marciniak told him to come in and file a complaint.

Jared Kline thanked Sam Wagner for contacting him regarding the tap request. Mr. Wagner said that their hands are tied right now and waiting on DCNR. Once he hears anything he will contact Mr. Kline.

**LIBRARY:** Nothing to report per Glen Gitzen.

**PUBLIC SAFTEY:** Ms. Harmon said there is an upcoming meeting on August 24<sup>th</sup> at 7PM. The committee is looking for any residents who are interested in being part of the Public Safety Team. These individuals need to be dedicated and attend meetings. She asked the residents to contact the Borough office if interested. Mr. Marciniak suggested we can add this to the Prospector.

Ms. Harmon said they had over 200 people either walk or run for the Rubes Run event. She would like to thank George Simcic, Council, Police Spotters, Butler County Fire Police, etc. for helping out for this event.



Ms. Harmon says the event has been held for fifteen (15) years and going. She also wanted to thank the Fairground Market for donating hot dogs and drinks.

**PLANNING COMMISSION:** Alan Vagasky stated that the Planning Committee developed some recommendations that need added to the proposed Housing Ordinance, 2016-02. He

wanted to thank the Butler County Planning Committee for reviewing it and noted they found no changes. Mr. Vagasky said that the points the Planning Committee came up with are valid. Mr. Colangelo said that if they go back and revise this Ordinance the Butler County Planning Committee will have to review again. Ms. Harmon made motion in accordance with what the Planning Committee recommends to have Mr. Colangelo go back and incorporate these changes in the Housing Ordinance; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

**RECREATION:** Mr. Marciniak said that the Prospect VFD Station 13 Car Cruise will be held on August 28<sup>th</sup>. He stated that Main Street will be closed and all permits are issued.

**STORMWATER MANAGEMENT AND STREETS:** Mr. Boice said he met with Russell Standard and they feel that the Voelker stone was not in compliance with Russell's oil. Russell Standard told him this tar and chip should not have been done after September 15<sup>th</sup>. If they cannot come to terms who is responsible they may work with us to give us a cheaper cost to have Kennedy Road redone but then that would mean, since we received no bond we will have to pay for this again.

Mr. Boice said he is still waiting for costs from KLH on the culvert repair project.

Mr. Boice needs to get with Mr. Hilliard to go over the Harmon Lane issue.

Mr. Boice made motion to have one or two of our Maintenance workers attend two (2) workshops in Hermitage offering free classes; Unpaved and Gravel Roads Common Maintenance Practicest and Liquid Bituminous Seal Coat; all taking place on August 10, 2016, Mr. Wagner 2<sup>nd</sup>. Motion carried.

Mr. Boice said that the government has changed sizes and specifications to street signs again so he will investigate this further but will probably mean we will have to spend more money.

Mr. Gitzen brought up that the Sidewalk Grant he was looking into and said there was a fee for \$100 to apply and matching funds. Ms. Harmon made motion to enforce the Ordinance we already have in our code book; Mr. Wagner 2<sup>nd</sup>. Motion carried.

**BUILDING & GROUNDS/MAINTENANCE & FACILITY:** Mr. Wagner said that Sarvey fixed the ladies room and they may have to replace the men's room sink.

Mr. Wagner said that George and Bill are starting to work on the windows on the building; they just purchased the paint.

Mr. Boice said they decided to keep the backhoe for a while now and will hold off on the trading in the backhoe and purchasing a tractor for now. They are looking for prices on purchasing forks for the backhoe so they can lift pallets, etc. Mr. Boice said they got a price from Walsh Equipment with a cost of \$1,200.00 for the forks; not installed. Mr. Marciniak said we should get a couple bids. Mr. Boice said we will hold off on this till closer to winter.

Mr. Wagner made motion to purchase tires for the pickup to pass inspection; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

**PERSONNEL:** Mr. Green made motion to pay George Simcic for mileage from the class he took; Mr. Wagner 2<sup>nd</sup>. Motion carried. Mr. Marciniak said this needs to be stated in future motions. Mr. Colangelo stated that the rate is \$.54/Mile.

Mr. Green said that the Borough received six (6) applications for the part-time police officer opening. He will start contacting them for interviews in the next few weeks. Mr. Marciniak suggested hiring two (2) instead of (1) since we have money in the budget. Ms. Harmon made motion to hire two (2) part-time police officers; Mr. Gitzen 2<sup>nd</sup>. Mr. Wagner abstained. Motion carried.

**MAYOR:** Mayor Butler said that the tree at Robinson's that was blocking the speed limit sign is gone.

**POLICE:** See Police Report.

Mayor Butler said that we received a certified complaint letter back; unable to deliver. Mr. Colangelo is working with the Mayor on the Groves junk vehicle and once a procedure is put in place we will do the same for other notices.

Ms. Harmon made motion to purchase three (3) tasers in the amount of \$3,581.49; Mr. Green 2<sup>nd</sup>. Mr. Boice said "No". Roll call: Mr. Boice, no; Mr. Green, yes; Mr. Wagner; abstained, Ms. Harmon, yes; Mr. Gitzen, yes; and chair, yes. Motion carried.

Ms. Harmon made motion to send Matt Wagner to AR15 Training Class with the costs of \$400; Mr. Gitzen 2<sup>nd</sup>. Mr. Wagner abstained. Motion carried.

**SEWAGE:** Mr. Boice made motion to let KLH advertise for bid documents for the Crab Run Culvert; Mr. Green 2<sup>nd</sup>. Motion carried.

The control valve at the EQ Tank will be continued to be monitored.

In-Sight Pipe was on site to seal the leak in the Wilson Road Pump Station, however, this did not completely remove the I/I. They will be back August 5<sup>th</sup> to complete the work.

The 4<sup>th</sup> CAP Quarterly Report was submitted to DEP on July 29, 2016.

KLH has requested quotes from four manufacturers for the cost to replace the control panel for the McNaughton Pump Station; so far the lowest bring \$5,892.92 from Elcon Technologies.

Higgy, George and Bill televised the Ogorchock property and they could only find one (1) physical tap; 3 individual apartments and a trailer, which makes for 4 connections.

**OLD BUSINESS:** Ms. Harmon made motion to adopt the Rental Properties Tenant Register Ordinance 2016-04; Mr. Boice 2<sup>nd</sup>. Motion carried.

Mr. Boice made motion to adopt Burning Ordinance 2016-05; Mr. Gitzen 2<sup>nd</sup>. Ms. Harmon said "No". Roll call: Mr. Boice, yes; Mr. Green, yes; Mr. Wagner, abstained; Ms. Harmon, no; Mr. Gitzen, yes; and chair, yes. Motion carried.

Mr. Colangelo said we received the estimate for the codification of the Borough's code books' for \$4,695.00. This amount will change as we continue to send them more adopted Ordinances and Resolutions. Mr. Colangelo said there will be legal fees plus our efforts to review the information. Ms. Harmon made motion to move forward and accept the General Code's terms and conditions; Mr. Boice 2<sup>nd</sup>. Motion carried. Mr. Colangelo will get with Ms. Marzullo to finish the requested paperwork.

Ms. Harmon made motion to Amend the Borough Fee Resolution 2016-14; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

**NEW BUSINESS:** Mr. Boice made motion to use the Sanitary Sewer Service Application Permit; Ms. Harmon 2<sup>nd</sup>. Motion carried.

Mr. Wagner made motion to send The Prospector to print with the addition of the EMA information; Mr. Green 2<sup>nd</sup>. Motion carried.

Mr. Marciniak mentioned that we received the Parts-A-Rama tax money and that they took the discount that they were not eligible for. Mr. Boice made motion for Ms. Marzullo to send a letter requesting that they pay us the discount tax monies that are due to us; Mr. Green 2<sup>nd</sup>. Motion carried.

Mr. Marciniak mentioned that we received the Butler Fair tax money and that they took the discount that they were not eligible for. Mr. Boice made motion for Ms. Marzullo to send a letter requesting that they pay us the discount tax monies that are due to us; Mr. Wagner 2<sup>nd</sup>. Motion carried. Ms. Marzullo to let them know that Franklin Township receives part of these tax dollars and they are entitled to their share of the discount monies.

The SIDES versus UC Programs; Mr. Colangelo will review and come up with a recommendation at the next meeting.

Mr. Wagner said that the next Sewage Meeting will be held on Tuesday, August 16<sup>th</sup>, at 9:00. Ms. Marzullo to send email out to all; including Dustin Drew.

**EXECUTIVE SESSION: 8:24PM**

**RESUMED: 9:10PM**

Mr. Boice made motion to let Mr. Colangelo proceed to start liens and legal action for four (4) individuals; Mr. Green 2<sup>nd</sup>. Motion carried.

Mr. Wagner made motion for Mr. Colangelo to proceed with the Foster Sheriff Sale; Ms. Harmon 2<sup>nd</sup>. Mr. Green abstained. Motion carried.

Mr. Marciniak said that there was still no answer for the Nick Vaccarello storm water issue.

**PAY BILLS:** Motion made by Mr. Wagner to pay the General Fund Bills for \$8,131,99; Ms. Harmon 2<sup>nd</sup>. Motion carried.

Motion made by Mr. Wagner to pay the Sewage Fund Bills for \$29,665.82 as we have the monies available; Mr. Boice 2<sup>nd</sup>. Motion carried.

Mr. Wagner made motion to have Dalton Services come in and clean out our EQ Tank; Mr. Green 2<sup>nd</sup>. Motion carried.

**Round Table:**

Mr. Boice	No additional comments.
Mr. Rosentsteel	No additional comments.
Mr. Green	No additional comments.
Mr. Wagner	No additional comments.
Ms. Marzullo	No additional comments.
Mayor Butler	The Rotary Club is having a Golf Outing on August 27 <sup>th</sup> ; a worthwhile event.
Ms. Harmon	No additional comments.
Mr. Gitzen	No additional comments.
Mr. Colangelo	No additional comments.
Chair	No additional comments.

**ADJOURN:** 9:16PM. No further business at hand, motion made by Mr. Wagner to adjourn; Mr. Boice 2<sup>nd</sup>. Motion carried.