



COUNCIL MEETING MINUTES
 December 2, 2019 @7:00 PM
 159 MONROE STREET
 PROSPECT, PA 16052

CALL TO ORDER: President Bill Katz called the regular meeting of the Prospect Borough Council to order at 7:00 p.m. There was a salute to the flag and Nick Vaccarello said a prayer. The following council members were present: Nick Vaccarello, Bill Katz, Gus Guenther, Todd Wilson, Eric Hilliard, Mary Harmon, Mayor Jim Butler, Sandi Cox, Terry Beck, Borough Secretaries, Sam Gibson KLH Engineers, Inc. Andy Menchyk, Stephanian & Menchyk LLP, George Simcic. Absent was Janice Boice

APPROVAL OF MINUTES: Eric Hilliard motioned to except the minutes and Nick Vaccarello 2nd. All in favor. Motion carried and accept.

APPROVAL OF TREASURER’S REPORT:

	Checking	Savings	1st	2nd	Motion
General Fund	\$33,736.96	\$103,046.00	Gus Guenther	Nick Vaccarello	Carried & Approved
Sewer Fund	\$82,017.95	\$153,500.68	Gus Guenther	Nick Vaccarello	Carried & Approved
Vehicle Fund	\$1,255.85	\$10,497.44	Gus Guenther	Nick Vaccarello	Carried & Approved
Highway Fund	\$7,054.96	\$27,799.23	Gus Guenther	Nick Vaccarello	Carried & Approved
Act 13 Impact Fee	\$11,251.92	\$3,208.24	Gus Guenther	Nick Vaccarello	Carried & Approved

VISITORS:

Nick Vaccarello: 160 Kennedy Road-He received 2 notices from the Code Enforcement Officer, one about trimming his trees/bushes. I attended a Safety Meeting that was a 6-hour credit program, wanted George to attest to the fact that he saw him there. George stated yes. He (Nick) stated that during that safety meeting they gave a legal view about how safety affect boroughs, townships and Penn Dot. Then Nick discussed the pipe under Harmon Lane, that he spoke with Chris Snyder from Penn Dot. Penn Dot is only responsible for the surface of the road. However, borough is responsible for the right-of-away and storm drains. (according to Nick) If the bushes on Kennedy Road are in the right-of-way which is 45', then you (the borough) are responsible to trim them. The borough has to determine the right-of-

way and trim them. Franklin Township has trimmed them in the past. Bill asked if we have ever trimmed the bushes. Nick stated that the Borough has trimmed them and has also put up snow fence on his property. He never planted them. He trimmed them in the past and will not be trimming them again. Bill asked for an opinion, Eric stated "Trim Them". Eric said that we have trimmed them in the past we should just trim them. After some discussion the council decided to have Franklin Township trim the bushes. George wants to know what they are going to be trimming because he doesn't want to have a problem with Nick later. Eric wants to have Nick & George come to an agreement about the trimming and get them done. Nick said fine.

Nick then discussed the pipe on Harmon Lane, it is not Penn Dot. He is discussing the roads going into Harmon Lane, is it the horseshoe, or all 4 lanes. George spoke with Chris Snyder from Penn Dot and he stated that the pipe is not theirs. There is a discussion on what is actually Harmon Lane. Jim Butler feels they are all 4 lanes are Harmon Lane. Then we discussed how to install the pipe properly for Harmon Lane/Alley ways. Who is responsible for the alley ways onto Harmon Lane? Eric, Nick and George will go look at it and come up with a solution. Nick will donate the pipe if he has one.

Nick Vaccarello-Crane Truck on 160 Kennedy Road. He was upset that the Code Enforcement Officer contacted Mike Dressler to see if he had a contract with him. Nick stated that he had been speaking with a different gentleman. He is upset and questioned the Code Enforcement Officer qualifications. Stated that he spoke with Stevenson Equipment and that they feel there is nothing wrong with the crane truck, it has to do with the electrical system. Nick stated that he spoke with Chris Kneiss at least 10 discussions as recently as 2 weeks ago. Nick is having problems with the insurance company; they are sending the wrong type of adjustor to handle this type of equipment. Eric feels that it is safe. We are going to give him 30 more days.

Dawn Szymoniak: Wants more clarification on Harmon Lane & what is considered Harmon Lane? It has to be decided.

LIBRARY/RECREATION: November report attached.

Eric Hilliard: The library is in need of \$500.00 for matching fund for a Grant they are applying for. They are accepting online payments. Nick Vaccarello has offered to donate the entire amount of \$500.00.

PUBLIC SAFETY: Nothing to report

PLANNING COMMITTEE: November report attached.

Alan Vagasky: Discussed the use of solar energy, and we need to look at ordinances regarding the use within the borough. Nick Vaccarello said that in the past they wouldn't work properly because we do not have enough sun in this area to provide power. Alan responded that a lot has changed, and planning is looking into possible ordinances.

STORMWATER MANAGEMENT AND STREETS:

Nick Vaccarello is requesting the borough approval for the Army Corps of Engineers to do a study with the problem of the water going down Wilson Road, cross pipe, erosion relating to this and some of borough retention ponds. The Army Corps of Engineers is offering a Grant,

with partial matching funds if we qualify. He wants permission to have Sandi type and send in a letter. With some discussion, it was decided that everyone would get a copy to take home and read. George wants to know what they are studying. Nick wants to get funding to finish Wilson Road and the rerouting of the stream. Mary wants to put it off until the January 2020 meeting. Nick claims that the DEP told the borough that they have financial responsibilities for the damage done to his property. According to Nick, the borough has received no documentation at this point to confirm that.

BUILDING AND GROUNDS/MAINTENANCE FACILITY:

Gus Guenther: Borough offices roof is done, and it looks good. There is a bid for work needing to be done on the maintenance building the bid is \$2000.00. There was a concern about the owner's (Fire & Rescue Property) kids helping with the work. We will confirm that that this will not happen again. We must make sure that he gives us a Certificate of Insurance, Workman's Comp. & Liability. Nick made a motion to have him do the work, 2nd Eric. All in favor. Motion carried and approved.

Eric Hilliard: Presented a bid to replace the police door. For \$2,000.00 from Fire & Rescue Property. After some discussion, the issue has been tabled.

Council wants to know what is going on with the old fire truck? The fire department has a meeting December 3, 2019 and Eric will see what they want to do with it.

PERSONNEL: Nothing

MAYOR & POLICE: Activity report attached.

Handed out Certificate of Elections to Mary Harmon, Bill Katz, Gus Gunther and Eric Hilliard.

Congratulation to Hanna for her recent marriage.

SEWAGE:

KLH-Sam Gibson report attached.

Needs a Resolution (attached) for the grant for the Small Water & Sewer Grant Application. Motion made by Eric 2nd by Nick. All in favor. Motion carried and approved.

Motion was made to have Sam Gibson review Country Lane subdivision, not to exceed \$500.00 by Eric, and 2nd by Nick. All in favor. Motion carried and approved.

Motion was made to review Tim Shaffer, Bill Katz and George Wagner subdivision not to exceed \$500.00 by Eric, 2nd by Nick, Bill abstained. All in favor. Motion carried and approved.

Grease Trap Ordinance- We need a motion to amend the current ordinance due to flow rate. Motion made by Eric 2nd by Nick. All in favor. Motion carried and approved.

2020 Sewage Rate Resolution: January 1, 2020 new rate of \$80.00 per month per EDU. Penalty 10%, which is a one-time charge per month that is past due. Interest 3% annually, for any balance that is past due. Chase Rogers wants to know why we are doing an increase. It was explained DCNR cost has gone up and we have to pass it on to the residents. After much discussion and explanation from George and the budget committee a motion was made by Gus Guenther, and 2nd by Eric Hilliard. Nick Vaccarello voted “No”. Motion passed and approved.

New Business:

Next sewage meeting: December 16, 2019 9:00

SOLICITOR:

OLD BUSINESS: None

NEW BUSINESS:

Code book has been completed, we need to review and check for errors.

A motion was made to adoption of the 2020 budget by Eric Hilliard and 2nd by Gus Guenther. All in favor, Nick Vaccarello - No. Motion Passed.

A motion was made to have a Petty Cash Policy for \$160.00 on hand at all times by Eric Hillard, 2nd by Nick Vaccarello. All in favor. Motion carried and approved.

CODE ENFORCEMENT:

Sandi Cox reported that she is going to accept bids to clean up Chuck Brandon property at 121 South Franklin St. Motion was made by Eric Hilliard and 2nd by Nick Vaccarello. All in favor. Motion carried and approved.

Gus Guenther made a motion that we take the mower in for yearly service, 2nd Nick Vaccarello. All in favor. Motion carried and approved.

Executive Session: 8:15 to 8:35

A motion was made to give the Preservation Society \$4,000.00 by Eric Hilliard, 2nd by Gus Guenther. Motion was not accepted by all. Mary Harmon abstained, due to a conflict of interest. Motion carried and approved.

A motion was made to give the Library \$3,000.00 by Eric Hilliard, 2nd by Gus Guenther. All in favor. Motion carried and approved.

PAY BILLS:

Account	Amount	1st	2nd	Motion
General Fund	\$5,293.00	Eric Hilliard	Nick Vaccarello	Carried & Approved
Sewer Fund	\$49,884.41	Eric Hilliard	Nick Vaccarello	Carried & Approved
Vehicle Fund	0			

Highway Fund	0			
Act 13 Fund	0			

ADJOURN: Todd Wilson made a motion to adjourn the meeting at 8:40 pm. 2nd motion by Mary Harmon. All in favor, motion carried and approved.

Sandra L Cox-Secretary/Assistant Treasury
Terry Beck-Treasury/ Assistant Secretary