



## REGULAR COUNCIL MEETING MINUTES

May 2, 2016 @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 moment of silent meditation and then a salute to the flag. The following Council members were present: Sam Wagner, Ms. Harmon, Bob Boice, Chad Green, Glen Gitzen and Mayor Jim Butler. Eric Hilliard was absent. GTN Solicitor; Anthony Colangelo was also in attendance.

**APPROVAL OF MINUTES:** There were no changes to the April 4, 2016 Regular Council Meeting Minutes. Mr. Boice made motion to approve the April 4, 2016 Regular Council Meeting Minutes; Mr. Wagner 2<sup>nd</sup>. Motion carried.

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

Nick Vaccarello mentioned he made a one call on Thursday as he was going to put up a fence. He had a few questions and said he could not get a hold of Mr. Marciniak. He wants to start a subdivision. He stated the storm sewer line is 200 feet on his property and the Borough has a 40 feet right-of-way. He stated we are holding him back as we violated his property lines and his pins. He would like a meeting with solicitor and engineer to discuss. Mr. Marciniak wanted to make a clarification that he did return Mr. Vaccarello's phone calls.

Jared Kline said that he saw the Borough's vehicle at the manhole on the property with a camera and was asking if they found out if there was a tap. Mr. Wagner told Mr. Kline they did find the old existing tap. Mr. Kline said that through some research a Russell Kline did pay for two (2) taps for \$494.00. Mr. Wagner said that our records show there was only one (1) tap paid for. Mr. Wagner said that once DEP and DCNR approve we may be able to get a better idea when we can issue taps. Mr. Kline wanted to know where he was on the list; which is near bottom. Mr. Wagner said if we do release any taps we probably will not be able to on Wilson. Mr. Wagner said we would only, if allowed, offer one (1) tap per person

on the list. He said we are still at a self-imposed moratorium but trying to get DEP to lift for the gravity fed lines.

**LIBRARY:** Glen Gitzen said that the Library was looking good. Cindy Sharrar said that tomorrow is a day of giving.

**PUBLIC SAFETY:** Ms. Harmon had nothing to report.

Mr. Wagner stated that Jeff Fallecker and Greg Schiller are willing to be a part of the Emergency Safety Management. Ms. Harmon said she just received some new information and will have a meeting soon.

Mr. Wagner made motion to purchase two (2) Tasers, approximately \$1,200.00 each, for the police department using the Impact Fee monies once we receive them; Mr. Boice 2<sup>nd</sup>. Motion carried. Chuck Tatton and Matt Wagner are already certified; Josh Sheppeck can be trained; then certified.

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

**PARKS & RECREATION:** Glen Gitzen had nothing to report.

**STORMWATER MANAGEMENT AND STREETS:** Mr. Boice said that he and Dick Knapko from PennDot went on a tour of the Borough roads and did agree that the job on Kennedy Road was bad. Mr. Boice contacted Voelker Paving as we had a one (1) year guarantee; they stated that if the oil was bad they had to contact the people they got the oil from.

Mr. Boice said that all is good till next year and possibly seal the center streets in the Borough.

Eric Tissue still looking for the old right-of-ways that Mike English did for Monroe Street.

Mayor Butler brought up if we were planning on fixing Harmon lane. Mr. Boice said that we have not determined yet if this is a Borough road or not and this needs to be addressed.

Mr. Boice brought up that there is a wet spot on Kennedy Road that will need dug up, a drain put in and resealed. Mr. Boice said the guardrails will also be removed and the markers added near the drop off locations.

Mr. Marciniak said to have Mr. Boice call Eric Hilliard to get him involved and to meet with Eric Tissue to discuss recommendations for Harmon Lane.

**BUILDING & GROUNDS/MAINTENANCE & FACILITY:** Mr. Wagner made motion to purchase a new Honda Self Propelled Mower for \$399.00; Mr. Boice 2<sup>nd</sup>. Motion carried.

Mr. Boice said that we would like to get rid of the backhoe and then purchase a New Holland Boomer 37 if council agreed. Mr. Boice made motion to advertise the backhoe out for bids subject to requirements that we can accept or reject the bids; Mr. Wagner 2<sup>nd</sup>. Motion carried.

Mr. Boice made motion to have a new instrument panel put in the dash in the pickup; Mr. Wagner 2<sup>nd</sup>. Motion carried.

Mr. Wagner said that the new meeting room project was coming along as they started to replace ceiling tiles. Higgy's window has been fixed, replaced and the roof along ridge vent was sealed today; looks much better!

**PERSONNEL:** Mr. Green said that he met with Mayor Butler, Mr. Marciniak, and Mr. Gitzen to do an evaluation for Josh Sheppeck. Mr. Green made motion to give Josh Sheppeck a \$2.00 raise retroactive from April 26<sup>th</sup>; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

Mr. Gitzen made motion to have the holiday, vacation and personal day changes that were made, prior approved at the last meeting, added to the Personnel Handbook; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

Mr. Wagner made motion to reimburse George Simcic \$120.32 bi-weekly for his Insurance and reimburse for retroactive from April 4<sup>th</sup>; Ms. Harmon 2<sup>nd</sup>. Motion carried.

**MAYOR:** Mr. Wagner made motion to purchase flags before the parade for a cost of \$138.00; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

Mayor Butler said that a letter was sent to the Fire Police letting them know that he could have Officer Tatton assist in any way and they have gotten no response back.

**POLICE:** Mayor Butler went over the police report briefly.

Mayor Butler said the light bar was installed on the Ford; very bright.

Mr. Wagner made motion to get the Dodge repairs made (routers, brakes, sway bars) at Diehl's for \$1,040.00; Ms. Harmon 2<sup>nd</sup>. Motion carried. The recall on the airbag will be taken care of also.

Mayor Butler went over the complaints; the truck at the old house was cited. Mayor Butler said we need to address the towing and storing expenses. He will have an officer contact the Fish and Game Commission to find owner of the boat that is on a piece of property in the borough.

Mayor Butler said the video system was installed and asked if we should create a policy. Mr. Colangelo said no that this is an exception to the open records law.

Mayor Butler said we have had complaints about smoke traveling and the police have checked the barrel and have seen no evidence of plastic being burned. The ordinance is written you must keep your smoke in your yard; which is impossible. The problem that exists is harassment versus smoke.

Matt Wagner has requested to be able to use the Dodge for his J Tech Training at the beginning of June at Penn State and the county will pay for his room and board. Ms. Harmon said that we should check with our Insurance Company first. Mr. Boice made motion to allow Matt Wagner to use the Dodge vehicle for the class as long as Insurance Company says it permissible; Mr. Green 2<sup>nd</sup>. Motion carried. Mr. Wagner abstained.

**SEWAGE:** Mr. Wagner said that we need to consider the possibility of getting the electrical panel at the McNaughton Pump Station rebuilt as we have been having electrical issues at this station.

Mr. Wagner made motion to transfer \$18,435.00 (old borrowed monies) from the Sewage Fund back to the General Fund; Ms. Harmon 2<sup>nd</sup>. Motion carried.

Mr. Wagner made motion for Mr. Green, Higgy, Mr. Simcic and himself to attend a PA Rural Water Inflow and Infiltration class on June 9<sup>th</sup> at a cost of \$85.00 per person; Mr. Green 2<sup>nd</sup>. Motion carried.

Mr. Colangelo said that from the Dressler issue the Magistrate indicated to him that our Zoning Officer, Dave Hazlet, is not registered in the state wide computer system and will call him to get registered.

Mr. Green went over the Engineer's Report since Eric Tissue from KLH was absent. The control valve at the EQ Tank will continue to be monitored.

Metering locations are being determined and will be forwarded to Drnach Environmental for installation.

KLH has requested quotes from five (5) contractors to repair the wet well and eliminate this source of I/I.

The 3<sup>rd</sup> Quarterly Corrective Action Plan was submitted to DEP.

KLH has received the Temp. Housing/Man Camp, Holding Tank and Rental Properties Tenant Register Ordinances for review.

**OLD BUSINESS:** Mr. Wagner made motion to adopt the Street Ordinance 2016-01; Ms. Harmon 2<sup>nd</sup>. Motion carried.

Mr. Marciniak said that the Temporary Housing/Man Camp, Holding Tank and Landlord Tenant Ordinance will not be motioned to advertise tonight. Ms. Harmon had set backs that needed changed, Mr. Colangelo had some concerns and needed input from Mr. Tissue before advertising. Mr. Marciniak told council that in two (2) weeks the final draft will be available to them and to make sure each one reviews it thoroughly. Mr. Vagasky asked that all setbacks to be consistent with our code book.

Mr. Marciniak said that John Farinelli has completed our Annual Audit.

Mr. Marciniak said that the PennVest Audit was still in progress and should be completed by end of May.

**NEW BUSINESS:** Mr. Marciniak received a letter from First Energy that they were not renewing their contract; will just leave all with West Penn.

**EXECUTIVE SESSION:** 8:07PM

**RESUMED:** 8:38PM

**NEW BUSINESS:** Mr. Wagner made motion to accept Becky Mertz's offer and Mr. Colangelo will write up a formal written agreement to accept proposal; Mr. Green 2<sup>nd</sup>. Motion carried.

Mr. Boice made motion to let Mr. Tissue meet with Mr. Vaccarello to address his concerns; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

**PAY BILLS:** Motion made by Mr. Wagner to pay the General Fund Bills for \$4,675.09; Mr. Green 2<sup>nd</sup>. Motion carried.

Motion made by Mr. Gitzen to pay the Sewage Fund Bills for \$38,803.87; Mr. Wagner 2<sup>nd</sup>. Motion carried.

**Round Table:**

Mr. Gitzen	Everything good. Where's the podium? Higgy to bring one in.
Mr. Green	Everything good.
Mr. Wagner	People need to stop putting grass clippings on road.
Ms. Marzullo	Everything good.
Mr. Colangelo	Everything good.
Mr. Boice	Need a speaker system, he cannot hear.
Ms. Harmon	Will try to get the Public Safety pulled together.
Mayor Butler	No additional comments.

Last call.

**ADJOURN:** 8:46M. No further business at hand, motion made by Mr. Wagner to adjourn; Mr. Green 2<sup>nd</sup>. Motion carried.