



COUNCIL MEETING MINUTES
November 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 @7:00PM with a salute to the flag. The following Council members were present: Dave Stellfox, Sam Wagner, Mary Harmon, Pete Bryan, Glen Gitzen, Bob Boice and Mayor Jim Butler. GTN Solicitor; Anthony Colangelo and KLH Engineer; Eric Tissue were also in attendance.

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

VISITORS: John Huff, Nick Vaccarello, Shane Zinn plus more residents of Prospect Borough (see attached sign-in sheet).

Mr. Huff received his letter from us that asked he remove all his belongings from our property for liability issues. He asked council if he could lease or even purchase the property in question and council decided to consider these options; Mr. Colangelo saw no problem on these suggestions. Mr. Vaccarello said that since the property in question is public property this would have to be advertised to the entire borough to place a bid. Mr. Vaccarello stated that the property was bought originally for approximately \$16,000.

Mr. Vaccarello had many issues in regards to Wilson Road and these issues were all discussed. Mr. Marciniak told him that once all work was completed and signed off on that the borough will replace the pins.

Mr. Zinn had copies of his Lot Line Revision; combining two properties into one which was approved by the Planning Commission. He has no issues with taps. Mr. Stellfox made motion to approve his subdivision based on the suggestions by the Planning Commission; Mr. Wagner 2nd. Motion carried.

Mr. Wilson wanted to know when Wilson Road issues would be complete and council told him we need to sign off the pumps station project first.

Mr. Scafede wanted to know why the council was pursuing public water. He was told we had a meeting on September 16th. The council told him this was advertised to the public. He stated no one is interested in this except for council. Mr. Scafede stated he does not want us to get further in debt like we did getting the sewage in Prospect; which no one wanted either. He mentioned the Prospector mailing had noted that Prospect Borough could have water by 2017. He told council that we do things without the people knowing. Ms. Harmon told him if he had any questions he should attend the council meetings and that this council is willing to work with residents from the borough as the council is not hiding anything. Ms. Harmon also said some residents are interested and the residents should have faith and trust in this council. Mr. Marciniak told Mr. Scafede we have only had one meeting, which PA American Water came to us first, and there will be more meetings before committing to anything. The council will let the residents know what is going on by possibly having a Town Hall Meeting once we know anything but for right now Pa American Water Company just wanted to know if we were interested.

LIBRARY: See attached Report. Cindi Sharrar said that the Library was working on their budget.

SIDEWALKS & PUBLIC SERVICES: Mr. Gitzen said there has been progress made with the one trash hauler project and should have more information next week. The council will have to send out for bids but first we need to get the parameters and an ordinance in place first.

EMA: Nothing to report per Mr. Stellfox other than Nathan Blackwood; Emergency Management Assistant, is attending classes to get his certifications.

PLANNING COMMISSION: Nothing to report.

PARKS and RECREATION: Mr. Bryan said the park is not being used now but is looking forward to next summer.

Mr. Gitzen said Halloween went well; had 50 children in attendance. He wanted to thank all who assisted; Moraine Elementary Teachers, Councilman, etc. He also wanted to thank for all donations from Prospect Pizza, Raisley Funeral Home, Pitchford Diversified, etc. and a thank you to all the sponsors. Mr. Gitzen also mentioned a thank you for the Fire Hall letting him use the PA System for announcing prizes, etc. Mayor Butler said it was a wonderful event. Mayor Butler had an invoice for ribbons and badges that were for the Halloween party. The total of invoice was \$93.95 that needed reimbursed to Mayor Butler; this will be included in bills to be approved later in the meeting.

STREETS AND STORM WATER: Mr. Boice said that Connoquenessing is having their meeting this Wednesday night to vote on the use of their salt truck spreading anti-skid on the hill on Kennedy Road. The property owner is fine with us using the turnaround which is located in Prospect Borough. Once Connoquenessing signs Mr. Colangelo will make up an agreement in which Connoquenessing and the property owner will need to sign it. Mr. Boice said we would have to add some limestone to the turnaround.

Mayor Butler wanted to know about the pipes on Harmon Lane. Mr. Boice said that Robert Hixson (Higgy) and Bill Osborne cleaned them out. Mayor Butler said the pipe between his and his neighbors was not. Mr. Boice will mention this to Mr. Hixson and have it taken care of.

Mr. Boice said that Franklin Township has still not cleaned our other ditches yet and not sure of the reason.

MAINTENANCE & FACILITY, BUILDING & GROUNDS: Mr. Bryan said that we are ready for winter; the salt is here.

Mayor Butler stated that a couple street lights were not working properly. He is to get the pole numbers for Ms. Marzullo and then she will call West Penn to get them fixed.

PERSONNEL: Pete Bryan made motion to hire David Murrman as a Part Time Police Officer; Ms. Harmon 2nd. All approved but Mr. Gitzen. Roll call: Mr. Gitzen; no, Mr. Boice; yes, Mr. Stellfox; yes, Mr. Bryan; yes, Mr. Wagner; yes, Ms. Harmon; yes and chair; yes. 6/1 Motion carried.

MAYOR: Mayor Butler said that the Library is not interested in the Tinker property on LaFayette; this is the property with the dead tree. Dr. Tinker has no interest in this property and would even like to donate it to the borough. Ms. Harmon said this piece of property would make a good parking lot for the school, fire hall and/or funeral home. If the borough did take this property as a donation and then in the future proceed to sell it this is public property so this would have to be advertised to the entire borough to place a bid. Mayor Butler will update Dr. Tinker that the tree does have to come down and will give her Mr. Colangelo's contact information; this will get Mayor Butler out of the loop. Mr. Bryan made motion to turn this over to Mr. Colangelo to investigate accepting and/or selling Dr. Tinker's property; Mr. Boice 2nd. Motion carried. Mayor Butler will send her an email and carbon copy Mr. Colangelo.

POLICE: Mayor Butler went over the police report and pointed out our part time officer, Don Lutz, worked zero hours the month of October.

Mayor Butler said that the Dodge and Ford police cars needed the oil changed. Mr. Gitzen made motion to have all maintenance done on these two police cars; Mr. Stellfox 2nd. Motion carried.

Mr. Bryan stated he heard about radar for smaller police forces were being used. Mr. Wagner said that this goes by population and we do not qualify.

Ms. Harmon mentioned the angle passing on Route 528 and 488 at the blinking light and need our officers out there patrolling; Mayor Butler is aware that we need more hours.

Mr. Stellfox mentioned the wide right hand turn on 528 and going onto Judy Raisley's property as tractor trailers cannot make the turn; Mayor Butler said they are going this way because of the 10 ton weight limit. Mr. Colangelo to look into an "engine retarder". It was mentioned if we put up a 422 straight arrow sign to direct them to 422 this may help; Mr. Colangelo to look into.

SEWAGE: Mr. Wagner said the pumps are not working properly at the EQ Tanks. They have six and one half feet of sewage but this does not go up or down but they are maintaining level. Mr. Wagner said they are waiting on Mr. Tissue and the contractors to figure it out. Mr. Tissue said they are thinking about using a camera and per Mr. Tissue the tank does not have to be empty to conduct this testing.

Mr. Tissue went over his report and stated that there were issues with startup regarding to the capacity of the pumps that appear to be related to a possible obstruction in the force main. Mr. Tissue said that they tested all of the equipment, valves and electrical input which all appeared to be working properly; he believes there is a blockage somewhere. They are at a standstill till they investigate and he has costs from State Pipe \$240/Hour, 4 hour minimum and In Sight at \$325/Hour. 6 hour minimum who would put a camera through the lines to look for a possible obstruction. Mr. Tissue said we need to move forward and need to proceed; could be a potential "airlock". He also stated that Hoffman will help out. Mr. Boice said we need to stop paying all bills until this works. Ms. Harmon made motion to have State Pipe televise the lines for \$240/Hour, 4 hour minimum; Mr. Wagner 2nd. Motion carried. This State Pipe invoice will be paid from the Sewage Fund Account.

Mr. Tissue went over the contractor pay requests for \$79,669.26. Mr. Marciniak stated we are using the line of credit monies (\$100,000) that Jim Willard told us we would have to pay back at the end of the project. Mr. Tissue said this line of credit was interim to keep things rolling. Mr. Tissue said that we are \$25,000 over the PennVest loan. Mr. Marciniak said now we have to find another source to pay this back; another loan. Mr. Marciniak also pointed out to Mr. Tissue that in the original contract it states that we would not have to pay any PennVest payments until the project was signed off and no PennVest payments until three months after the sign off date. Mr. Tissue will look into this but Ms. Marzullo stated we already had one payment taken out on November 1st. Mr. Tissue feel that the issues at the EQ Tanks are still a preexisting condition. Mr. Stellfox said we have to move forward. Mr. Tissue said the hoist was

installed. Mr. Wagner made motion for the contractors pay request of \$79,669.26; Ms. Harmon 2nd. All approved but Mr. Gitzen and Mr. Boice. Roll call: Mr. Gitzen; no, Mr. Boice; no, Mr. Stellfox; yes, Mr. Bryan; yes, Mr. Wagner; yes, Ms. Harmon; yes and chair; yes. 5/2 Motion carried. Mr. Stellfox made motion for PennVest Pay Request 11 for \$71,152.12; Mr. Wagner 2nd. All approved but Mr. Gitzen and Mr. Boice. Roll call: Mr. Gitzen; no, Mr. Boice; no, Mr. Stellfox; yes, Mr. Bryan; yes, Mr. Wagner; yes, Ms. Harmon; yes and chair; yes. 5/2 Motion carried.

Mr. Tissue provided a memorandum on the flow from the fairgrounds and a potential method for billing for surcharge flows. Mr. Boice made motion to have Mr. Tissue, Mr. Marciniak. Mr. Wagner or Ms. Harmon meet with the Fairground Board to discuss a surcharge; Mr. Bryan 2nd. Motion carried.

OLD BUSINESS: Mr. Marciniak told council we received numerous calls regarding the Burning Ordinances with questions. Mr. Stellfox said if one reads the definitions first the ordinance explains it all. Mr. Colangelo stated he could rewrite the ordinance to make it read more clearly but that would mean we would have to advertise the ordinance again. Mr. Colangelo said that since the ordinance was advertised we could pass as is and amend it later. Mr. Stellfox made motion to adopt the 2014-5 Amended Burning Ordinance; Mr. Boice 2nd. All approved but Mr. Boice and Ms. Harmon. Roll call: Mr. Gitzen; yes, Mr. Boice; no, Mr. Stellfox; yes, Mr. Bryan; yes, Mr. Wagner; yes, Ms. Harmon; no and chair; yes. 5/2 Motion carried.

Mr. Marciniak said that there is a DCNR Grant Workshop on Tuesday, November 18th from 8AM- Noon at Pine Township in Wexford. Mr. Marciniak is going and is asking if anyone would be interested to let him know and they could go along with him.

Mr. Marciniak asked all council to review the Borough Fee Schedule, give him any suggestions and this will brought up for adoption at the December 8th meeting.

Mr. Tissue said that after reviewing the FEMA Flood Plan his recommendations is to let it go as is. He stated that later on if any conflicts the borough can change the parameters then.

Mr. Marciniak asked if there were any comments for the 2015 Budget before we adopt. Ms. Harmon stays firm on her feelings per last meetings comments. As a responsible council we should eliminate the 2015 cultural entities as they should be self-sustained and not rely on the borough. Mayor Butler said that \$5,000 was the total allocated for cultural. Mr. Bryan stated we are not obligated to pay them if our costs do not concur to do so. Mayor Butler said the cultural monies was put forth based on the contingency that the General Fund gets reimbursed from the Sewage Fund. Mr. Gitzen says he has an issue with why we are hiring a police man and then cutting their hours from 120 to 100 hours a month. Mayor Butler tried to explain to him that our policeman where all part time, have full time jobs elsewhere and hopefully we can fulfill the time to get the

100 hours per month from the officers. This cannot be adopted at this time as this was advertised to be adopted at the December 8th meeting.

Mr. Boice made motion to adopt 2014-13, a Resolution setting 2015 sewage rates to \$62.50 and providing for administrative charges for delinquent sewer accounts; Mr. Bryan 2nd. Motion carried. Mr. Marciniak asked Ms. Raisley, Sewage Collector, if she had any questions, she had none. Ms. Harmon asked why there were different sewage payment books and Ms. Raisley explained there are two kinds; one with customers who have one EDU and one with customers who have multiple EDU's. All new booklets will show administrative fees now. Mr. Marciniak mentioned that the letter sent out to residents about the new lien fees did some good as we did receive three resident's late sewage payment fees.

Mr. Colangelo is still working on the Time of Sale Ordinance.

Mr. Marciniak said the Crab Run Project will be discussed in the executive session.

Mr. Wagner brought up that his neighbor still has problems with Grossman's sticks in front of his home. The neighbor called PennDot and PennDot told him the borough had to deal with it. Mayor Butler said this is Grossman's property and he told Mayor Butler he plans in the future to put flower boxes there.

NEW BUSINESS: The Drug Task Force still needs "Exhibit A – Letter of Understanding" before Tony can draw up an agreement. Mayor Butler to call Detective Fennel and see if he can obtain a copy to forward to Mr. Colangelo.

Motion made by Mr. Bryan to advertise the 2015 Regular Meeting Schedule; Mr. Stellfox 2nd Motion carried. Ms. Marzullo to email one to Mr. Colangelo.

Motion made by Mr. Bryan to advertise the 2014 Close Out Meeting on Tuesday, December 30th; Mr. Boice 2nd. Motion carried.

Ms. Harmon mentioned the house at the corner of 488 and 528 that the home is a hazard and needs to come down. Ms. Raisley said the owner passed away only a couple months ago as we should be sympathetic to her heirs. Mr. Wagner will talk to the owner first before approaching.

Mr. Marciniak mentioned the borough received an email from Anthony Pelikan from the University of Chicago that would like a copy of our zoning ordinances. Mr. Colangelo said this is public knowledge so therefore this can be sent to him. Ms. Marzullo will email him that we can send this but it will be at a cost for copies and mailing.

Mr. Marciniak told the council the borough received a call from a bus driver that put in a complaint about bushes hanging across 141 through 151 Kennedy Road where there is

an old truck parked. She said the bushes are obstructing her view when picking up the children and also her bus hits them. Mayor Butler and police to look into.

EXECUTIVE SESSION: 9:00PM

RESUMED: 10:30PM

Mr. Bryan made motion for Mr. Colangelo to proceed with the matter discussed on Wilson Road; Mr. Gitzen 2nd. All approved but Mr. Wagner and Mr. Stellfox abstained. . Roll call: Mr. Gitzen; yes, Mr. Boice; yes, Mr. Stellfox; abstained, Mr. Bryan; yes, Mr. Wagner; no, Ms. Harmon; yes and chair; yes. 5/1 Motion carried. See attached abstained letter.

Mr. Stellfox made motion for Mr. Marciniak to pursue Insurance with Robert Hixson (Higgy) as discussed in executive session; Mr. Bryan 2nd. Motion carried.

PAY BILLS: General Fund Bills was Ok'd to be paid \$4,596.47. Motion made by Ms. Harmon to pay; Mr. Bryan 2nd. Motion carried.

Sewage Fund Bills was Ok'd to be paid \$25,627.19. Motion made by Ms. Harmon to pay; Mr. Bryan 2nd. Motion carried.

Highway Aid Fund had no bills this month to approve.

Round Table:

Mr. Gitzen	No additional comments.
Mr. Boice	No additional comments.
Mr. Stellfox	Last meeting Mr. Tissue was to contact Jim Willard concerning agreements between him and Mr. Vaccarello concerning property pin placement at the Artman storm water drain. Mr. Tissue said he will talk to Mr. Willard and get back to Mr. Stellfox.
Mr. Bryan	The Complaint Form we send out should be changed as he does not like the word "Complaint". He would like it changed to "Citizens Concern". This form will be changed.
Ms. Marzullo	No additional comments.
Mr. Tatton	No additional comments.
Mayor Butler	No additional comments.
Ms. Harmon	Let's go home!
Mr. Wagner	No additional comments.
Mr. Colangelo	No additional comments.
Mr. Tissue	No additional comments.

ADJOURN: 10:36PM. No further business at hand, motion made by Mr. Stellfox to adjourn; Mr. Bryan 2nd. Motion carried.