



## REGULAR COUNCIL MEETING MINUTES

October 3, 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 salute the flag and a prayer given by Pastor Steve Cort. President Bill Marciniak passed the gavel to Sam Wagner to conduct the meeting. 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.

**APPROVAL OF MINUTES:** There were no changes to the September 6, 2016 Regular Council Meeting Minutes. Mr. Boice made motion to approve the September 6, 2016 Regular Council Meeting Minutes; Mr. Green 2<sup>nd</sup>. Motion carried.

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

Nick Vaccarello said he previously requested a Right-To-Know and the Borough could not find the information he was looking for; he will pass this on to his lawyer. He told Council he will need assistance in searching the minutes as he is computer illiterate. He also brought up the history of the Monroe Street right-of-way.

Jared Kline was just requesting if we had any more information on his tap request. Mr. Wagner said that he should have information later at tonight's meeting.

Paulette Reeder brought up the complaint she filed on her neighbor who is conducting a business called Power House Manufacturing and was told he was making computer boards for the Navy. He has a generator behind his barn which is very loud and creates smoke. Mr. Wagner told her that this was on the agenda tonight for the Council to discuss.

Jim Roxbury said that he has his first rat problem which he is getting from the old house across the street from where he lives. This home is owned by LoanCare; Ms. Marzullo will send them a registered letter about this new problem.

Todd Wilson wanted to know what is going on with Wilson Road. Mr. Wagner told him that at last month's meeting it was decided we are not doing anything right now and all is on hold; no date, no plans. Mr. Wilson said that part of the crossing is crumbling and may need more riprap. Mr. Wagner said that we will look into this.

**EXECUTIVE SESSION:** 7:15PM

**RESUMED:** 7:42PM

Mr. Green made motion to allow Jared Kline to use the existing tap on his property and it is understood between both parties that he has to pay for it; Mr. Boice 2<sup>nd</sup>. Motion carried. Mr. Kline would like a letter explaining all criteria.

Mr. Marciniak made motion that the Council does not accept Ms. Robinson's payment plan proposal for sewage; Mr. Green 2<sup>nd</sup>. Motion carried.

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

**PUBLIC SAFTEY:** Nothing to report per Mary Harmon.

**PLANNING COMMISSION:** Mr. Marciniak made motion to approve the McDonald Planning Module; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

Mr. Marciniak said that the Butler County Planning and the Prospect Borough Planning Committee approved Ordinance 2016-02. Mr. Marciniak made motion to advertise a hearing to adopt the new zoning amended Ordinance 2016-02 on November 7<sup>th</sup> at 6:30PM; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

**RECREATION:** Mr. Gitzen said that there was a problem with the Fire Department to have the Halloween Party on Saturday, October 29<sup>th</sup> and needs to be changed to Monday, October 31<sup>st</sup>. Mr. Marciniak made motion to change the Halloween Party to October 31<sup>st</sup>; Mr. Boice 2<sup>nd</sup>. Motion carried.

Ms. Harmon asked all Council to please review their Swiftreach Packet and this will need to be put in the Budget for 2017. There will not be another Public Safety Meeting until she receives some assistance as the committee needs more help.

**STORMWATER MANAGEMENT AND STREETS:** Mr. Boice had nothing to report for Stormwater Management.

Mr. Boice said that the Maintenance Department were sealing cracks in the roads this week.

Mr. Boice said that the Borough got a hold of Franklin Township this week to make a new agreement for 2016-2017 for the use of their anti-skid. Franklin Township will get back to us once they have their meeting to approve the agreement.

Mr. Vaccarello said that there will be a water problem on Route 488; 2<sup>nd</sup> street from the corner store, as there is a hole.

**BUILDING & GROUNDS/MAINTENANCE & FACILITY:** Nothing to report per Sam Wagner.

Mr. Boice said that the Maintenance Department fixed the leak in the roof.

Mr. Gitzen wanted to thank George Simcic for helping out Franklin Township for their clean-up days.



George

Much appreciated!

**PERSONNEL:** Mr. Green asked Mayor Butler when the two (2) new police officers would be working. Mayor Butler said that Terry Hilton was sworn in, received his badges and gear, qualified last Friday. All he is waiting for is his card number from Mopect. Al Crowther has been sworn in but has to take a test from Mopect.

**MAYOR:** Mayor Butler went to the Butler Tax Collection meeting for the election of officers for next year.

**POLICE:** See Police Report.

Mayor Butler said that he will be getting recommendations for the body cameras and should have more information by next month's meeting.

Mayor Butler said that all undeliverable certified letters were going back to Ms. Marzullo to file until we can amend the Ordinances.

Mr. Wagner said that there was a complaint filed against Mr. Powell for running a business in a residential zone. Mr. Marciniak said that Mr. Hilliard first filed the complaint for the pallets, tires and junk through his property. Our Code Enforcement Officer went out to the property and determined there was a business and sent a cease and desist letter. Ms. Harmon said we need to have Mike Grill from MCA go out and check the entire property out; not only for the business but for the tires, pallets, etc.

Ms. Harmon made motion to have MCA, Dave Hazlet, send out a “cease and desist” letter to Kenneth Hogue; Mr. Boice 2<sup>nd</sup>. Motion carried.

Mayor Butler said we need to purchase a pistol; Glock 21 Generation 4, for Officer Crowther for a cost of \$464.20. Mr. Gitzen made motion to purchase a Glock 21 Generation 4 at a cost of \$464.20 paid from the Impact Fees Monies; Mr. Green 2<sup>nd</sup>. Mr. Boice said “No”. Roll call: Ms. Harmon, yes; Mr. Gitzen, yes; Mr. Marciniak; yes, Mr. Green, yes; Mr. Boice, no; and chair, yes. Motion carried.

**SEWAGE:** Mr. Wagner said that Mr. Rosensteel is still looking into a Grant for the McNaughton Pump Station.

Mr. Wagner said we had a sewage line videotaped behind the pond and found leaks in the line which causes serious I&I. We will need to replace about four hundred (400) feet of sewage line. Mr. Rosensteel to get an estimate and we will add this to the Grant as this will not be a cheap fix.

Mr. Wagner said they are also looking for a building for over the pumps at McNaughton.

Mr. Green made motion to purchase Myers Rail System parts for McNaughton pumps from W.C. Weil Company at a cost of \$1,339.00; Mr. Boice 2<sup>nd</sup>. Motion carried.

Mr. Rosensteel went over the Consulting Engineer’s Report. He stated that DCNR is requiring that an engineering evaluation of the Storage System be completed concurrent to the request. KLH will complete the task at the direction of the Borough.

KLH will work with the Borough on the sanitary line that has heavy I&I.

Mr. Rosensteel said that the rate calculations were forwarded to the Borough. Ms. Harmon said that Eric Tissue was to send us updated calculations; Mr. Rosensteel will check this out.

Mr. Wagner said that the next Sewage Meeting will be Tuesday, October 18<sup>th</sup> at 9AM.

Mike McCaffrey to resend us the billing for the pumps at McNaughton.

**OLD BUSINESS:** Mr. Wagner said that the Dye Test Ordinance needs revised. Mr. Colangelo said we have to come up with a justified cost to charge and then revise the Borough Fee Resolution. Tabled till next month’s meeting.

Mr. Gitzen said that he has talked to the Shingleton’s regarding their suggestions for the Burning Ordinance. Mr. Shingleton said it should be based on population, density, DCNR and DEP guidelines; there are no hard and fast rules. Mr. Marciniak asked him if he was talking about the

no burning in Allegheny County because if he was they have a hard time enforcing this too. Mr. Wagner said if DEP comes out and says we cannot burn then we need to address this issue.

**NEW BUSINESS:** Mr. Boice made motion to adopt Resolution 2016-06, a Resolution for plan revision for new land development; Mr. Marciniak 2<sup>nd</sup>. Motion carried.

Mr. Wagner asked the Council of their thoughts on having the Color Run before the Parade next year. Ms. Harmon said that we need more information from them such as the route they will be taking, clean up, etc. She also said that we would need a Certificate of Insurance. Ms. Marzullo will contact them for more information. Tabled till next month's meeting.

Mr. Marciniak made motion to purchase three (3) new labor law posters for approximately \$75; Mr. Green 2<sup>nd</sup>. Motion carried.

Mr. Wagner mentioned there are no mention of days for discounts or penalties in the Amusement Tax Ordinance for a temporary amusement. The Council needs to come up with recommendations. Tabled till next month's meeting.

Mr. Gitzen made motion to purchase tax yearend forms; Mr. Marciniak 2<sup>nd</sup>. Motion carried.

Mr. Gitzen made motion to have the Home Owner's Association use one of our keys to conduct a meeting using our back meeting room on November 3<sup>rd</sup> from 7-8PM; Mr. Green 2<sup>nd</sup>. Motion carried.

Mr. Marciniak wanted to state that Ms. Robinson's proposal was totally unacceptable. He told all that this Council is going after all; liens, sheriff sales, small claims court, etc. He said that several people have paid on their account. Mr. Marciniak said we are not dropping the ball; we are going after these residents. He stated the past Council did not go after delinquencies.

Ms. Harmon asked the Council to go over the General Fund Budget numbers report that they were given and ask Ms. Marzullo if you have any questions.

Mr. Marciniak mentioned the Butler County Borough Association is having a dinner on November 5<sup>th</sup> at a cost of \$15.00

Mr. Marciniak said that Voelker Paving was sent a thank you letter.

Mr. Marciniak said that we received the Volunteer Fireman's Relief monies; \$6,577.87.

Mr. Marciniak said we got a credit adjustment back from our Workman's Comp Audit for \$2902.00

Mr. Marciniak said that all Council members should attend the seminars and webinars as this is good training.

Mr. Marciniak mentioned the last Butler County Borough Association meeting he attended the subject was communication. The municipality is looking into the Swift Reach and Code Red. The Borough need to make sure in case of a catastrophe that our residents are protected.

Mr. Marciniak asked if the Police Department got the Narcan Pens yet; the Mayor said "yes". Mr. Wagner said we received the Pension State Aid monies; this was new to the Borough.

**PAY BILLS:** Motion made by Ms. Harmon to pay the General Fund Bills for \$5,920,44; Mr. Green 2<sup>nd</sup>. Motion carried.

Motion made by Mr. Green to pay the Sewage Fund Bills for \$1,433.00 as we have the monies available; Mr. Marciniak 2<sup>nd</sup>. Motion carried.

### Round Table:

Mayor Butler	No additional comments.
Ms. Harmon	No additional comments.
Mr. Gitzen	Mr. Gitzen wanted us to have the leaves picked up this fall. Mr. Marciniak made motion to have residents able to have leaf pickup or drop off at the Borough building by using paper bags only; Mr. Wagner 2 <sup>nd</sup> . Ms. Harmon said "No". Roll call: Ms. Harmon, no; Mr. Gitzen, yes; Mr. Marciniak; yes, Mr. Green, yes; Mr. Boice, yes and chair, yes. Motion carried.
Mr. Marciniak	No additional comments. Wanted to apologize for being sick.
Ms. Marzullo	No additional comments.
Mr. Wagner	Wanted residents to know that the Tasers were purchased from the Impact Fee monies we received. These monies are to be used for police and sewage.
Mr. Green	No additional comments.
Mr. Rosensteel	No additional comments.
Mr. Boice	No additional comments.

**ADJOURN:** 8:55PM. No further business at hand, motion made by Mr. Marciniak to adjourn; Mr. Gitzen 2<sup>nd</sup>. Motion carried.