



COUNCIL MEETING MINUTES
August 4, 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 Council members who were present: Dave Stellfox, Sam Wagner, Mary Harmon, Pete Bryan, Glen Gitzen, Bob Boice and Mayor Jim Butler. GTN Solicitor; Adam Buchanan and KLH Engineer; Rob Horvat.

APPROVAL OF MINUTES: There were no changes to the July 7, 2014 Regular Council Meeting Minutes. Motion made by Ms. Harmon to approve; Mr. Boice 2nd. Motion carried.

VISITORS: Eric Klemm; President of PA Amateur Horseman's Association, Todd Wilson, John Nath, Norm George plus more residents of the Prospect Borough (see attached sign-in sheet).

Eric Klemm needs a Resolution from the Prospect Borough so the Horseman's Association can sell 50/50 raffle tickets; the Horseman's Association needs recognized by Prospect Borough. The association has 160 members and have around 16 shows a year mostly all in Butler County. Mr. Klemm gave a copy of his letters to Mr. Buchanan and we will readdress at the next September 2nd meeting. Mr. Boice wanted to approve for tonight for Mr. Buchanan to proceed with this Resolution on Mr. Buchanan's recommendations; Mr. Stellfox 2nd. Motion carried. Mr. Boice then made motion to make the Resolution; Mr. Stellfox 2nd. Motion carried.

Todd Wilson will be addressed at a later time as he was not to attend the meeting till 8:30PM.

LIBRARY: See attached Report. Cindi Sharrar wanted to thank the Borough for painting their picnic table. The library had over 127 registries for the summer reading program and read over 3,000 books. The library also raised \$1,100.00 at the Golf Tournament.

SIDEWALKS & PUBLIC SERVICES: Nothing to Report.

EMA: Nathan Blackwood and Angela Moorehead; Emergency Management Assistants, have gotten hold of Amy at the 911 Center, received the necessary paperwork for Prospect Borough and will complete it and send to the State. Mr. Blackwood and Ms. Moorehead will get their pictures taken and send to Mayor Butler so he can make their Prospect Borough ID Tags.

PLANNING COMMISSION: Nothing to report per Alan Vagasky; who could not attend tonight's meeting but talked to Mr. Marciniak.

PARKS and RECREATION: Mr. Bryan said the Park is being used this summer. The Park is having a few problems with garbage being placed in unlined trash cans and chalk marks due to kids but no serious problems at this time.

STREETS AND STORM WATER: Mr. Boice got the OK from Eric Tissue; KLH Engineer, to line and rip rap the storm water drain on Wilson Road.

Mr. Boice said that Voelker Paving graded Crown Hill Road but has received no bill yet but hopefully it is less than we wanted to spend.

There is a water problem on Bear Creek Road turn. Mr. Boice said that if we dig a small ditch next to road and use a four inch pipe and gravel and have this go to the catch basin it should help the problem. The Borough building has the pipe and gravel in stock. It was asked if anyone had any problems with this and was Ok's by Council to go ahead and get with Mr. Hixson (Higgy) to have this fixed by his Maintenance Crew.

Pipes under Crown Hill Road are clogged. Mr. Boice and Mr. Hixson (Higgy) to go look this over and suggest recommendations to the Council at the next September 2nd meeting.

Mr. Boice is still looking into the James Shearer complaint about the run off on Orchard Drive.

The Presbyterian Church Manse is having some road problems around a storm water culvert near the manse. Mr. Boice went to the Presbyterian Church to meet with Trustees of the Church to discuss the road problems, they did not know what he was talking about.

MAINTENANCE & FACILITY, BUILDING & GROUNDS: Mr. Bryan wanted to thank the Maintenance Crew for purchasing and installing the new air conditioner.

Mr. Wagner discussed the small storage facility beside us and it was determined to just block up the door with concrete blocks to eliminate the door problem and just purchase a key lock for the garage door. Mr. Marciniak said he made some calls and that the prices for locks would be under \$500.00. Mr. Wagner's best

approach is by using the concrete blocks to block the existing man door and this he feels will help eliminate deterioration on rest of the blocks on the building. Mr. Stellfox wanted to know if what we wanted to do was according to code. John Nath; PCS Zoning Officer, asked exactly what the building was used for and it was determined it is just a storage facility building so this was according to code. Mr. Stellfox made motion to purchase a key lock for the garage door for under \$500.00; Mr. Bryan 2nd. Motion carried.

PERSONNEL: Nothing to report per Mr. Marciniak

MAYOR: Mayor Butler said that the Rubes Run was a nice event and wanted to thank Mr. Hixson (Higgy), Mr. Osborne for their help and the Police Department for directing traffic.

POLICE: Mayor Butler went over the two police reports. Mr. Bryan made comment that we still need to reduce the speeding problems in our area. Mayor Butler said this problem will continue to be ongoing.

SEWAGE: Mr. Wagner stated that there is a lot going on in the Borough. We have a problem at the EQ Tank as the contractors were ready to install the new pumps but found out the new pumps needed bases. The bases were only available to purchase from Sweden which will take up to six weeks to be shipped here. Therefore the EQ tank will be empty until these bases and pumps are installed.

Mr. Marciniak brought up the Sewage Taps issues. He has talked to John Holden; DEP, and has told him that we can issue taps but the problem is "Flow" and that the Borough is trying to correct this problem. The flow at the EQ tank is over the allowable rate and that we also had 11 overages last month which added a higher rate to the Borough's expense. Mr. Marciniak told Mr. Holden we are trying to fix these problems; this is why the Borough procured the Penn Vest Loan project and until this project is completed we cannot issue any taps. Mr. Marciniak said they do have an existing tap list so any new people would have to go to the bottom of the list. The list the Borough has is from 2003. Mr. Marciniak told Mr. Holden that we are trying to work together with the Engineers, Lawyers and the residents.

The past Council was telling people to do a sand mound or holding tank. We have fifteen people ready to go with taps right now and the Engineers and DCNR are telling us not yet. Mr. Marciniak said we need to contact people to see if they still want a tap and then apply at the Borough to be put on this list. The residents need to know that once taps come available they have to tap into the Borough sewage system. The Borough has an Ordinance we would like all Council to review tonight so we can advertise that states that once a tap is issued the resident needs to start construction within ninety days. Mr. Skrak said he submitted a permit to Romel Nicholas; Prospect Solicitor, and that Romel would give him an answer whether yes or no within a month. Mr. Skrak said he

has called Mr. Nicholas four times and has not received any calls back. Mr. Skrak had a subdivision and a survey but no one ever told him that there would be an issue about getting a tap. Norm George; SEO for PCS, says he could possibly add a holding tank but the Borough would have to approve and that a sewage tap would be available within one year. If a footage is put in place they may not have to tap in; exception permit. Mayor Butler said that GTN needs to follow up on Skrak's concerns; all Council agreed and this was addressed to Mr. Buchanan. We need GTN to be proactive to Skrak for damage control. The permit Skrak's gave to Mr. Nicholas was a Planning Module Exception but they were promised an answer by end of August from Mr. Nicholas. Mr. Buchanan is to call the Skrak's to explain the situation. Mr. Nath said if they do an on lot system the Council does need to approve a connection distance; possibly 300ft. He said we also need an ordinance if transferring taps. Per Mr. Nath check out Act46; time limits and prohibition on permits. We will table till next month at the September 2nd meeting for the revised, improved, updated and legal ordinance to approve.

Owen Brown addressed the Council as he owns Lot #14 in Prospect Place and is selling the property. Mr. Brown has proof that he has a tap from paperwork in 2008. He did pay his sewage bill for a year until Council told him he no longer needed to pay it. He gave us all his paperwork and the paperwork did indeed claim he had a tap. This tap is counted in our EDU's. Ms. Marzullo will call Mr. Brown's realtor; Judy Mortimer to let them know we have verification that Mr. Brown's property, Lot#14, definitely has a tap and Ms. Marzullo will send a letter to the realtor stating this. Mr. Brown will be supplied with a copy of this letter.

Mr. Marciniak told Council he sent out letters to passed Council and Mayors. In the letter he asked if they had any old records for the Borough in their possession, to contact him directly and that the Borough would make arrangements to collect the paperwork from them. Per Mr. Marciniak we are all aware we are missing pertinent information and all paperwork we receive will be reviewed thoroughly.

Rob Horvat went over the Consulting Engineer's Report and also for Council to look over the Memorandum (See attached).

Mr. Horvat asked the council to approve PENNVEST Payment Request #10 for \$43,186.34 which reflects the current payment due for contracts 2012-1R, 2012-2R, 2012-3 and 2012-4 in the amount of \$31,877.45, and also reflects corrections to errors made in Payment Request #9 in the adjusted amount of \$11,308.89. Mr. Wagner made motion to approve PENNVEST Payment Request #10 for \$43,186.34 which reflects the current payment due for contracts 2012-1R, 2012-2R, 2012-3 and 2012-4 in the amount of \$31,877.45, and also reflects corrections to errors made in Payment Request #9 in the adjusted amount of \$11,308.89; Ms. Harmon 2nd. Motion carried.

Mayor Butler asked if the monitor was removed from the Fairgrounds; yes and report is forthcoming.

Eric Tissue is working on a ball park figure to determine what the Borough should raise the sewage payments to in 2015. This will be asked to Mr. Tissue at the next September 2nd meeting.

Mr. Nath; Code Enforcement Officer stated we only have one pending permits; the Fallecker's Beauty Shop and it is in progress.

Mr. Nath said that we have Chuck Smith as our secondary SEO (Sewage Enforcement Officer) and would like us to nominate Norm George SEO as our primary since Bob Koch, our Code Enforcement Officer and SEO is off on medical leave. Mr. Stellfox made motion to appoint Norm George as our primary SEO (Sewage Enforcement Officer) extension of current contract; Mr. Bryan 2nd. Motion carried.

It was mentioned that we comply to the code of enforcement as it is state mandated.

Mr. Marciniak is going to send a registered letter out to 28 individuals to see if they still want their sewer taps with the stipulation construction must start within 90 days. The individuals have two weeks to respond. Prospect Borough than will have a new revised tap list and then will place this available to the public through The Prospector, Newspaper and Website. There will be a notation though this does not necessarily mean that a tap is available.

OLD BUSINESS: Mr. Marciniak mentioned the Time of Sale Ordinance that Ms. Harmon has amendments. Ms. Harmon stated the GTN is working on it so table till September 2nd meeting.

Mr. Stellfox made motion to adopt Ordinance 2014-2, House #'s. This was advertised in the Butler Eagle July 13, 2014; Mr. Bryan 2nd. All approved but Mr. Boice.

Mr. Marciniak asked if there were any questions regarding the Road Weight Limit Studies Ordinances; no one spoke up. Mr. Boice made motion to advertise the Road Weight Limit Ordinance; Mr. Bryan 2nd. Motion carried.

Mr. Gitzen is working on Prospect Borough using just one trash hauler for the Borough. He has spoken with Waste Management, Vogel and Tri-County. He said he need a lot of information like house #'s, addresses, etc. He said that the bids may be higher than what we pay now. It is in our intent that we get the best possible price for our residents. Mr. Gitzen needs suggestions and recommendations from the Council and asked if each would place these in his box. Mr. Marciniak said we could get the bid on a three year contract; this way prices remain the same till then. Mr. Boice stated using smaller trucks would also be a benefit to the Borough. Mr. Marciniak advised Mr. Gitzen to check out Butler Township to see what they did and to also ask the trash haulers he had

already contacted too see exactly what specifications they need for the Borough to proceed. Will readdress at next September 2nd meeting.

Visitor: Todd Wilson told Council the fence around the sewage pumps on Wilson Road are two feet on his right of way. Mr. Marciniak told Mr. Wilson the engineers are looking into this plus meeting with Nick Vaccarello. He was asked are there any obstructions with the fence, he answered "No" but the right of way needs addressed.

OLD BUSINESS: Mr. Stellfox went over his recommendations to amendments to the burning ordinance we already have in place. GTN needs to take a close look at this to see if all is order. Mr. Stellfox asked all Council to place recommendations in his box within two weeks. Per Mr. Gitzen we need to address the leaves issue; burning and smoldering. Will readdress September 2nd, 2014 meeting.

Mr. Marciniak stated we are ready to clean the two computers and the police laptop and once this is completed to dispose only one computer and the police laptop. Chuck Tatton; Police Chief said the police laptop is not ready yet. We will readdress at next September 2nd meeting.

Mr. Marciniak told Council we got another lease agreement for our Tower and this information was given to Mr. Buchanan. GTN to review and give us their recommendations at the September 2nd meeting.

Mr. Marciniak asked Mayor Butler about the tree on Maple and Lafayette Street; the owner that wanted to donate his property to us. Mayor Butler is working with the Library now regarding this.

Mr. Marciniak informed the Council the Century Link phone was cancelled; no further bills.

Ms. Harmon mentioned the By-Laws were not complete. This Resolution# 2014-09 was adopted July 7, 2014. Ms. Harmon to check her papers.

Per Mr. Marciniak the Wagner Agreement is back in GTN's hands to revise as Mr. Wagner had some objections on the insurance and other issues.

NEW BUSINESS: Mr. Marciniak told Council we received prescription discount cards from Healthcare Alliance. If anyone wants to use them they are available in the office. We have a limited supply so just come in the office to pick up a card when needed and return. They are for good for all Council, Mayor and employees.

Mayor Butler had a conference call with Mr. Nicholas and Mr. Colangelo to discuss the codification book; making sure the Blue Book and Green Book match. Mayor Butler asked if Council wants to revisit Ordinances to see if up to date.

Council decided to direct GTN to look if our Ordinances are in compliance. Mr. Boice stated that we need to get our other issues completed first and catch up.

Mr. Wagner said his neighbor was going out of business had a fire proof steel casing cabinet, weighed 700lbs., vertical, with keys and was asking \$600.00 for it. (Was priced at \$1,500.00) He also had some 4 drawer vertical cabinets but not fire proof. The Council decided not interested at this time.

Mr. Marciniak said we are still waiting for Mr. Colangelo on the Sale Sign Ordinance form Code Book 19-15 that needs incorporated.

Mr. Marciniak said we received a quote from Wilson Restoration for \$7,000.00 for the hole in drywell at Wilson Road Pump Station. Mr. Hixson (Higgy) got safety equipment and should be able to patch up the hole with his Maintenance Crew.

Mr. Colangelo still working on an agreement on our neighbor that is right beside us.

Mr. Marciniak told Council we are still waiting for the two estimates from Jim Willard for the installation work on Wilson Road that were awarded to Hoffman construction. Eric Tissue, KLH Engineer, to get a memo from Mr. Willard on these quotes/estimates.

Mr. Marciniak told Council we received a notice from Verizon Wireless if we wanted our communications to go to the "Cloud". We gave paperwork to Mr. Buchanan and GTN will let us know their recommendations at the September 2nd meeting.

Mr. Bryan made motion to purchase prepaid envelopes, Box/500 for \$275.05; Mr. Stellfox 2nd. Motion carried.

Mr. Marciniak told Council we received information regarding FEMA – Flood Plan for Prospect Borough. All paperwork was given to Mr. Buchanan and GTN will let us know their recommendations at the September 2nd meeting.

PAY BILLS: General Fund Bills was Ok'd to be paid \$6,815.68. Motion made by Ms. Harmon to pay; Mr. Bryan 2nd. Motion carried.

Sewage Fund Bills was Ok'd to be paid \$27,002.98. Motion made by Mr. Stellfox to pay; Mr. Wagner 2nd. Motion carried.

Highway Aid Fund Bills was Ok'd to be paid \$213.98. Motion made by Ms. Harmon to pay; Mr. Wagner 2nd. Motion carried.

Mr. Marciniak told Council each were given a packet to use for the 2015 Budget. All Council had a chance to look the sections over pertaining to their committees

and can use the far right column for their figures. Mr. Marciniak would like to have all Council's 2015 Budget figures in two weeks.

Mr. Stellfox asked all Council to please look over the 2014 Goals and Plans of Action; will discuss next September 2nd meeting.

ADJOURN: 9:15PM. No further business at hand, motion made by Ms. Harmon to adjourn; Mr. Stellfox 2nd. Motion carried.