



COUNCIL MEETING MINUTES

May 4, 2015 @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, Bob Boice, Glen Gitzen, Pete Bryan and Mayor Jim Butler. GTN Solicitor; Anthony Colangelo and KLH Engineer; Eric Tissue were also in attendance.

APPROVAL OF MINUTES: There was no changes to the April 6, 2015 Regular Council Meeting Minutes. Ms. Harmon made motion to approve the April 6, 2015 Regular Council Meeting Minutes; Mr. Boice 2nd. Motion carried.

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

Ms. Andrews who works with Keystone Wellness Programs in Evans City is currently working on a project called Young Lungs at Play! The program is reaching out to community parks in Butler County in hopes they would be interested in creating or updating their park tobacco policy. She explained that 80% of Americans are now non-smokers. It is not news that tobacco use is harmful to the health of the user along with the health of others around but also to the environment, such as our park. Cigarette butts are the most littered item in the world. Our children are hurt by secondhand smoke! Per Ms. Andrew as of now they have over 562 PA Department of Health Young Lungs at Play tobacco-free communities. The only cost to the borough would be for the advertising of the ordinance. The Borough then would have to apply to participate in Young Lungs at Play and then display the Young Lungs at Play signs around designated areas; which are free. Mr. Bryan is in favor of pursuing this so the council will have Mr. Colangelo look into and will discuss at next month's meeting.

Mr. Vaccarello wanted to let the council know his hedges were trimmed and now just have to be burned. He also said that the catch basin in front of Ms. Szramowski has leaves and when it rains the water has nowhere to go. Mr. Hixson and Mr. Osborne will look at it.

LIBRARY: Mr. Bryan mentioned the Butler Day of Giving being held on May 5th; each donation from \$25.00 to \$1,000.00 will be matched by the Pittsburgh Foundation

through its Endowment for Butler County. Mr. Bryan asked if the borough was in a position to donate. Ms. Harmon said financially we are not able to make any donation. Mr. Stellfox made motion to donate \$100.00, by using our charge card, to the Butler Day of Giving; Mr. Bryan 2nd. All approved but Ms. Harmon. Roll call: Mr. Gitzen; yes, Mr. Boice; yes, Mr. Stellfox; yes, Mr. Bryan; yes, Ms. Harmon; no, Mr. Wagner; and chair; yes. Motion carried.

Mayor Butler said that the Rotary Club of Portersville Prospect cleaned around the library's shrubs and added stones. Good job!

Mr. Boice said there is a parking issue near the library as people are parking between the signs where the curb is painted yellow; which means no parking in this area. The neighbor across the street cannot see to pull out and this could cause an accident. Mayor Butler will talk to the library and see how this can be more controlled.

PLANNING COMMISSION: Alan Vagasky discussed the subdivision on moving a lot line revision for Ms. Harmon. The Planning Commission already approved this and it was recommended by the borough council. Mr. Bryan made motion to have the lot line revision approved by council for Ms. Harmon; Mr. Boice 2nd. Motion carried. Mr. Wagner abstained and Ms. Harmon could not vote.

There was discussion as to whether the president of the council signed the subdivisions or the engineer. Mr. Vagasky said this was a simple lot line revision and felt that the president's signature was sufficient and also in the past we have always had the president sign off on these. Mr. Colangelo will look into this as there is a State Municipal Planning Code and will check if it is a requirement for the engineer to sign off on these subdivisions. Mr. Marciniak will sign off on this paperwork but upon Mr. Colangelo review the council will set forth a policy for the future.

PUBLIC SAFETY: Ms. Harmon said this will be put on hold till election in May is over.

PARKS and RECREATION: Mr. Bryan wanted to thank Higgy (Mr. Hixson) and Mr. Osborne for fixing the grill. Mr. Bryan said we had over seven (7) reservations for the park for this summer and all is well.

Mr. Bryan asked the council about a donation for the Parade that is coming up at the end of this month. Mr. Bryan made motion to donate \$100.00 to the Parade Committee; Mr. Stellfox 2nd. All approved but Ms. Harmon. Roll call: Mr. Gitzen; yes, Mr. Boice; yes, Mr. Stellfox; yes, Mr. Bryan; yes, Ms. Harmon; no, Mr. Wagner; and chair; yes. Motion carried.

STORMWATER MANAGEMENT AND STREETS: Mr. Boice said that the tar buggy is here this week and the maintenance crew are working on fixing the cracks. They also have a catch basin at Wilson Road to clean out.

Mr. Boice said the new LED lights were installed at the intersection. Mr. Stellfox mentioned a couple of trees near the intersection that are obscuring the lights. The council said it was the owner's responsibility and the Mayor will send them a letter to trim these trees back. Mr. Stellfox will work with Mayor Butler to find out who exactly owns this property.

Mr. Boice said the street sweeper is coming before the parade. Mr. Boice did try to contact Mr. Skrak to see if the State could clean the state roads in Prospect but has not heard back from him.

Mr. Stellfox received a quote for fixing the curb near the library but Ms. Marzullo inquired further and found out this could not be paid for from the Highway Liquid Fuel monies. The only way this could be covered is if it was ADA. The curbs were damaged by the state plow trucks and Mr. Hixson and Mr. Osborne even added coal patch a couple years ago and the trucks broke this off also. Mr. Marciniak added that the cold patch is only a temporary fix. Ms. Marzullo will send a letter to PennDot and Harrisburg to see what they could do to get this repaired since the state snow plows did cause the damage to the curb.

BUILDING & GROUNDS/MAINTENANCE & FACILITY: Mr. Wagner said that the maintenance department is planning on taking care of the gutters out front on the office building with the seams need sealed and cleaned. Mr. Wagner said they are also looking for a door for the attached building.

PERSONNEL: Mr. Bryan had nothing to report.

Mr. Marciniak said the interviews were conducted for the new part time police officer and the candidate chosen was Michael Dalcamo. Mr. Dalcamo comes with many certifications and is aware of the \$10.00 minimum probation rate of pay. Mr. Bryan made motion to hire Michael Dalcamo as our part-time police officer; Mr. Gitzen 2nd. All approved but Mr. Boice. Roll call: Mr. Gitzen; yes, Mr. Boice; no, Mr. Stellfox; yes, Mr. Bryan; yes, Ms. Harmon; yes, Mr. Wagner; and chair; yes. Motion carried.

MAYOR: Mayor Butler had nothing to report.

POLICE: Mayor Butler went over the Police Report. Our total hours for the police department for the month of April was much lower than last year and this is another reason we need to hire another officer.

Mayor Butler has talked to Mr. Murrman and he is still willing to give us sixteen (16) hours a month. He was to start on March 29th to work with Matt Wagner but the schedule did not permit. Mr. Murrman is willing to reimburse the borough for all costs of his uniforms, etc. but would like to work together and get something arranged.

Mayor Butler said the police department had three (3) complaints. Chuck went to the owner of the barking dog and asked if they could keep the dog away from the windows; owner was Ok with this. The second one was the boat and it is to be removed and the third was burning on Sundays and a copy of our burning ordinance will be given to them.

Mayor Butler said there are property owners who are not keeping their grass cut and they will be addressed accordingly.

Mr. Bryan would like a letter to go out to the person(s) responsible who bought a couple homes and refurbished on Franklin Street. These homes look great and he thinks we need to send a letter to them thanking them for cleaning up our neighborhood and community.

Mr. Marciniak told Mayor Butler that Mr. Murrman has not worked for over six (6) months and he feels if he does not work by June 2015 that we should consider letting him go.

Mr. Marciniak said that the procedure for the complaint forms are that once these have been addressed and solved that the original complaint form is given back to Ms. Marzullo with an a signature, date and explanation of how it was handled for her to file.

Janet Eisler said that a resident in Prospect has firearms; which he sets off, a puppy mill and his neighbors are fearful of him. The council told her to have the neighbor to come in and fill out a complaint form and this is all anonymous.

SEWAGE: Mr. Wagner said the electric hoist was installed. Mr. Wagner also said we are still having the seal fail at pump #2 at Wilson Road Pump Station.

Mr. Tissue went over the Consulting Engineer's Report.

The PennVest Payment Request #12 is just for the final cost of the project; no monies being drawn down. PennVest is holding back \$50,000.00 until the audit is done. Mr. Wagner made motion to sign off on the PennVest Pay Request #12; Ms. Harmon 2nd. Motion carried. The council mentioned with the pump #2 seal fail that maybe we should go after the bond. Mr. Tissue said not to do this yet and that we have protection for eighteen months (18) and this has not kicked in yet.

Mr. Tissue also said they need to check on why the park flow meters varies from ours.

Robinson Pipe is to begin the grout process on May 5th.

Mr. Wagner made motion for the final contractor payments totaling \$17,178.20; Ms. Harmon 2nd. Motion carried.

Mr. Tissue said that he would be getting together with Mr. Vaccarello regarding the survey corners.

OLD BUSINESS: Mr. Marciniak stated we need to adopt the Borough Fee Resolution 2015-03; which supersedes any other fees that we may have. Mr. Gitzen motioned to adopt the Borough Fee Resolution 2015-03; Mr. Bryan 2nd. Motion carried.

Mr. Colangelo said he had talked to American Power Choice Program and they had to investigate our excessive capacity fee. American Power were to get back to him in thirty days, which is April 7th. Mr. Colangelo has called several times, left messages with no return calls. Mr. Bryan made motion to allow Mr. Colangelo to start a formal or informal complaint with the PUC; Mr. Stellfox 2nd. Motion carried.

Mr. Marciniak told council the Special Event Closed Road Permit has been completed for the Parade on May 23rd.

Mr. Tissue was given another copy of a West Penn Power Bill for the EQ Tank. Ms. Marzullo gave him the prior month's bill that was also high. Mr. Tissue said they are looking into it as they prior thought the bill was high based on a couple months being estimated. The bills are showing a high KW/Bill Load.

Mr. Marciniak mentioned the Time of Sale Ordinance 2015-01 with which he did not think it was ready to adopt. Mr. Bryan asked if this only pertains to property owners not rentals and the answer was yes. Ms. Harmon made motion to adopt Ordinance 2015-01 Time of Sale. Mr. Stellfox has concerns. Mr. Marciniak said that this is important that we get it right the first time and to give this back to the committee again but with everyone giving their recommendations and to have the finished product in front of us at the time of adoption. Mr. Marciniak asked if there was a second motion three times; motion does not carry.

NEW BUSINESS: Ms. Harmon made motion to allow Ms. Marzullo to order a box of Sewage Fund checks in the amount of \$140.00; Mr. Wagner 2nd. Motion carried.

The council thanked Higgy (Mr. Hixson) and Mr. Osborne for directing traffic at the intersection for the installing of the new LED lights.

Mr. Marciniak said that our Insurance Carrier advised us to increase our Personal Property from \$10,000.00 to \$15,000.00 based on the new printer. There was no objection from council.

Mr. Marciniak told council we received a 2018 renewal contract from Armstrong. Mr. Marciniak asked the council if they had any interest into pursuing this for the residents to please speak up; no one spoke up. Mr. Marciniak said then that not to pursue since no interest.

Mr. Bryan asked council that maybe we should change to Fiscal Calendar Year from July 1 to June 30th. Mr. Colangelo said he did not think municipalities could even do.

Mr. Bryan wanted to know if we could paint 35MPH on the State Roads to help slow done vehicles; again these are state roads not ours.

Mr. Marciniak brought up the questions and answers from the Borough Magazine as they had a question in it regarding if residents and non-residents could be charged differently for licenses and the answer was no. Mr. Marciniak wanted to point out licenses and fees are different; previously passed by council. Mr. Marciniak stated we need to make sure that any changes, additions, deletions to the website our based on council approval.

EXECUTIVE SESION: 8:28PM to discuss legal matters.

RESUMED: 9:01PM

Mr. Bryan made motion that we have Mr. Colangelo look into school and county taxes needed for a Sheriff Sale; Mr. Boice 2nd. Motion carried.

Mr. Bryan mentioned that Dollar General's Food Bank is going very well. Mr. Bryan checks every Monday morning and has only had one morning that there was no food to deliver. This is a very good program for our community...KUDOS To PETE!!!

PAY BILLS: Motion made by Ms. Harmon to pay the General Fund Bills for \$4,976.53; Mr. Bryan 2nd. Motion carried.

Motion made by Mr. Wagner to pay the Sewage Fund Bills for \$37,792.55 as the monies came in; Mr. Boice 2nd.

Motion made by Ms. Harmon to pay the Highway Aid Fund Bills for \$183.71; Mr. Bryan 2nd. Motion carried. Mr. Boice 2nd.

Round Table:

Mr. Gitzen	Thank you; tap the breaks in the Time of Sale Ordinance. We just need to get it right and be fair.
Mr. Boice	No additional comments.

Mr. Stellfox	Same as Mr. Gitzen. Mr. Boice and he will be contacting Franklin Township to make an arrangement for this coming winter. Cookies-Baptist-Amen-Plant of Salvation Seeds
Mr. Bryan	No additional comments.
Ms. Marzullo	No additional comments.
Mayor Butler	No additional comments.
Ms. Harmon	No additional comments.
Mr. Wagner	No additional comments.
Mr. Colangelo	No additional comments.
Mr. Tissue	No additional comments.

ADJOURN: 9:18PM. No further business at hand, motion made by Mr. Bryan to adjourn; Mr. Wagner 2nd. Motion carried.