



COUNCIL MEETING MINUTES

April 6, 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 and Mayor Jim Butler. Pete Bryan was absent as he was sick. GTN Solicitor; Anthony Colangelo and KLH Engineer; Rob Horvat were also in attendance.

APPROVAL OF MINUTES: There was no changes to the March 2, 2015 Regular Council Meeting Minutes. Mr. Stellfox made motion to approve the February 2, 2015 Regular Council Meeting Minutes; Mr. Boice 2nd. Motion carried.

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

Mr. Vaccarello discussed the overflows. He did call DEP, took pictures and thanked the Borough for spreading the lime. Mr. Vaccarello said until we fix the I/I we will continue to have these problems. Mr. Marciniak said that our engineers are looking into all the problems and that the Borough has not signed off on the project yet. Mr. Vaccarello also let the Borough know that he trimmed the over grown bushes.

Mr. Robinson wanted to know what we were going to do with the sewage problems as he had to snake his mother's mobile home park drains three times since April 5, 2015. Mr. Robinson said he is very frustrated as no one on the council will call him back with any answers. Mr. Marciniak told him that we requested a letter from his mother, Ms. Robinson, that showed that Mr. Robinson could represent the mobile home park in behalf of his mother and we also thought Ms. Robinson was to attend tonight's meeting. Mr. Horvat said the engineers needed to review all the records that were done previously; including drawings of the laterals. Again, the longtime cure is to correct the I/I. Mr. Gitzen asked the engineer if he was able to look at this issue and solve it; Mr. Horvat stated yes. Mr. Horvat said what is done is done and we need to move forward. Mr. Horvat said he will talk to Robert Hixson (Higgy) and look at his drawings to get better information and apologized that they had nothing at this point. Mr. Stellfox stated that what we are saying that if Higgy has drawings and information than that means we do not need any information from Mr. Robinson at this time.

LIBRARY: Per Mr. Marciniak, Mr. Bryan called him and told him there was nothing to report.

PUBLIC SAFETY: Ms. Harmon is waiting on a report from Mayor Butler before she can continue. Mayor Butler stated he will get this to her.

Mr. Marciniak said we received two applications for the hiring of a new patrolman. Ms. Harmon made motion for approval to interview these two applicants; Mr. Stellfox 2nd. All approved but Mr. Boice and Mr. Wagner abstained. Roll call: Mr. Gitzen; yes, Mr. Boice; no, Mr. Stellfox; yes, Ms. Harmon; yes, Mr. Wagner; abstained and chair; yes. Motion carried.

PLANNING COMMISSION: Alan Vagasky had nothing to report.

PARKS and RECREATION: Mr. Bryan told Mr. Marciniak that the new grill we purchased a couple years ago needed looked at as it was tipped a little bit. Robert Hixson (Higgy) will look at it.

STORMWATER MANAGEMENT AND STREETS: Mr. Stellfox went over the proposal for a protection building for salt; which is costly. The building is 24x40 and would be around \$24,000 to \$28,000. This project would have to be bid out. Mr. Stellfox said we do not need to act on this now but to consider it before Fall. Mr. Marciniak said we should check with surrounding municipalities, Mr. Stellfox said maybe a co-op agreement and Mr. Boice stated we can ask Franklin Township as they came through for us in the past.

Mr. Boice said he talked to a resident concerning the limestone in her yard on Orchard Drive.

Mr. Boice looked into the concern Mr. Bryan brought up in the last council meeting regarding the trucks on 528 not to use jake breaks, which slows the vehicle but makes a very loud noise. Mr. Boice was told to check with our solicitor and found out one would need a permit from the state. Mr. Boice said if we want to pursue this any further we would need to contact PennDot for a permit.

Mr. Stellfox said that we need to complete the riprap on Wilson Road. Mr. Hixson (Higgy) will finish this project; weather permitting.

Girl Scout Troup 26067 had sent the borough a letter that said they love being a part of the Prospect Community. In their recognition Mr. Marciniak read the letter they sent to the borough and then presented the Girl Scouts with a Certification of Appreciation Plaque. We took a few pictures to place on the website. The two troop leaders said they have fifteen girls but only nine could attend tonight. The Girl Scouts meet a

couple times a week at the Presbyterian Church but also are involved in community service such as planting flowers, food pantry, etc.

Mr. Stellfox said that for the Robinson issue it is now in our court and we need no more information from Mr. Robinson unless we have to ask for it. Mr. Stellfox said we are letting the engineers analyze the problem.

Mr. Marciniak said that the Parade will be May 23rd and did we want the streets cleaned before the Parade; the council agreed. They also suggested that the school sign have the Parade posted.

Mr. Boice said we also have to get the state roads closed off. Mr. Colangelo is sending Ms. Marzullo the forms and will show her how to complete.

Mr. Marciniak asked council if we wanted to do Clean-Up Days this Spring; council agreed on May 15th and May 16th. Ms. Marzullo to call Cox's boxes and will have flyers distributed around town.

BUILDING & GROUNDS/MAINTENANCE & FACILITY: Mr. Wagner said that the maintenance department is planning on taking care of the gutters on the office building once all the sewage issues are completed.

Mr. Marciniak would like to contact the Butler ARD Program to come in and paint fences, curbs, etc. Mr. Boice made motion to have Mr. Marciniak contact the ARD Program for them to come in and paint fences, curbs, etc.; Mr. Wagner 2nd. Motion carried.

Mr. Boice was proposing to have a survey done on the property beside us and to move the fence back to enclose our property. Mr. Boice says we can do this whenever funds are available. Mr. Stellfox made motion to have the survey done and the fence moved; Mr. Boice 2nd. All approved but Ms. Harmon. Roll call: Mr. Gitzen; yes, Mr. Boice; yes, Mr. Stellfox; yes, Ms. Harmon; no, Mr. Wagner; yes but only till we have the funds available and chair; yes. Motion carried.

PERSONNEL: Nothing to report.

MAYOR: Mayor Butler wanted to thank Higgy and Bill Osborne for putting up the Spring flags.

POLICE: Mayor Butler went over the Police Report. The Borough will need to make up an invoice for the Drug Task Force to reimburse us for Mr. Wagner's time.

Chuck Tatton went to the home on David Street regarding the complaint of a barking dog. Mr. Tatton was told that the dog just barks. The person who complained said the

dog was not only barking loudly but tried to get out an open door window (screen removed) as she was walking her granddaughter. Mr. Tatton will go back and talk to the owner again.

Mr. Wagner had prices for the Ford Crown Vic for two tires. The two quotes were from Butler Tire for \$255.86 and Skander Tire \$236.42. Ms. Mary made motion to purchase the two tires for the Crown Vic for \$236.42; Mr. Stellfox 2nd. Motion carried.

Ms. Harmon made motion to get the tar buggy to seal the cracks on the roads; Mr. Boice 2nd. Motion carried. This will come out of Liquid Fuels monies.

SEWAGE: Mr. Wagner said the concerns are the overflows and the problems at the EQ Tank as the pumps keep going off and on.

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

The EQ Tank had a recent issue with the control valve motor. Mr. Horvat will follow-up on the excessive power bills. The Power Company basing the grid where we are located.

Wilson Road had a significant I/I flow which resulted in an overflow on March 14th. The DEP sent us a letter on March 30th in which needs a response in 15 days of the dated letter. Mr. Horvat will send them an explanation of the actions taken and how we are going to correct the problem and submit it to us and then to DEP.

In order to facilitate easier maintenance of the pumps at Wilson Road Pump Station, a new hoist will need to be installed; cost \$2,150.00 installed. Mr. Wagner made motion to purchase and install the new hoist at a total cost of \$2,150.00; Ms. Harmon 2nd. Motion carried.

Mr. Robinson suggested Mr. Horvat call Ron Lambardalo who works for West Penn Power Company. Mr. Robinson is to give Mr. Horvat the number to reach Mr. Lambardalo. Mr. Robinson suggested that we take the electric off for one week and then only run the generator for that week at the EQ Tank to help in determining the large power bills. Mayor Butler asked Mr. Horvat if the EQ Tank has any other problems other than the electrical issues. Mr. Horvat told Mayor Butler the valve was replaced and so we need to find the cause and we need to make sure we have consistent flow.

Mr. Wagner made motion to advertise Ordinance 2015-01 entitled: An Ordinance of the Borough of Prospect, Commonwealth of Pennsylvania, Amending Ordinance 2012-2 Establishing Requirements for Certification of Sanitary Sewer Status Upon Movement of Mobile Homes/Manufactured Homes Within the Borough of Prospect in the Butler Eagle paper and to be considered for adoption at the next regularly scheduled meeting on May 4th, Ms. Harmon 2nd. Motion carried.

OLD BUSINESS: Mr. Marciniak called twenty-three municipalities regarding a One Trash Hauler Program and he found that the borough could save a substantial savings. Mr. Marciniak wanted to give some of the sample ordinances he received to Mr. Colangelo to come up with an ordinance for us before we got a contract. Mr. Marciniak asked Mr. Colangelo if we could do an ordinance contingent of getting the bids lower than we have now; he saw no problem. This One Trash Hauler would be for residents only, not businesses, mobile home courts, etc. Mr. Marciniak stated that every resident in Butler County pays less for trash hauling than our borough except for one. Concerns were given as to the borough would want smaller trucks but if everyone was using the same trash hauler that bigger trucks would be used. Ms. Harmon said that not only the expense (attorney fees) but we need to prioritize what we need done first. Ms. Harmon suggested we put this on hold and then revisit later. Mr. Marciniak asked three times for a motion, none were forthcoming.

Ms. Harmon said that Ms. Marzullo and she were still waiting on John Nath; PCS, with information on the Borough Fee Schedule before continuing. Ms. Harmon said work in progress.

Mr. Colangelo said he has 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. Wagner said the home on the corner of 488 and 528 is in the process of being put up for sale and there also may be a potential buyer. Mr. Marciniak also said that the borough could apply for Blight Property Assistance.

NEW BUSINESS: The council gave permission for Rubes Run to be held the 25th of July and the Preservation Society would be responsible for their project.

Bronder Tech Services have told Ms. Marzullo the street lights at the intersection 488 and 528 are old and suggested LED lights which have a guaranteed lifetime of five years. They submitted a quote to her for \$990.18. Mr. Stellfox made motion to have these LED lights installed for \$990.18; Mr. Wagner 2nd. Motion carried.

Mr. Marciniak stated we have a contractual agreement with the Prospect Volunteer Fire Department and we are obligated to pay them \$7,000 each year. We did not send them any monies in 2014. Mr. Wagner made motion to pay the Prospect Volunteer Fire Department \$7,000; Mr. Stellfox 2nd. Motion carried. It was noted that we need to pay them another \$7,000 before year ending 2015.

Mr. Marciniak mentioned fireworks and luminaries to have a possible ordinance adopted. It was mentioned that fireworks are state law. Mr. Marciniak referred this to the Public Safety Committee.

Mr. Marciniak said that we need to reinforce our Burning Ordinance as people are burning outside the allowed timeframes, days and also smoldering onto other resident's property. Residents need to come to the borough office and file a complaint so action can be taken by council and the police department.

Mr. Stellfox made motion to send out a flyer to the residents explaining the borough will be doing random testing of downspouts and sump pumps; Ms. Harmon 2nd. Motion carried. This is very important as it will be to the greater good of I/I, will keep costs down and contribute to lower sewage bills.

Mr. Gitzen made motion to adopt the Right To Know Resolution 2015-02 and to also appoint Ms. Marzullo as the Open Records Officer; Mr. Boice 2nd. Motion carried.

Mr. Marciniak said contradictory to what residents were being told is that no millings are or were available for donation. Ms. Marzullo made several calls through PennDot and contractors and they mostly reuse the millings; very few sell them and none give away.

Mr. Stellfox made motion to have Tammy Boice set up the Wi-Fi printer in office for RA Services and also to look at the Police Laptop for around \$75.00; Mr. Wagner 2nd. Motion carried.

Ms. Harmon made motion to change the Citizen's Concern Form back to the original name of Complaint Form; Mr. Gitzen 2nd. Motion carried.

Mr. Marciniak addressed the entire council regarding the Webinars that the borough have been attending in house. He suggested that each member take advantage of these Webinars as some are very informative. There are some that have costs but the more councilman that attend the less cost it is.

Mr. Marciniak explained that since we had the overflow at Wilson Pump Station in March we have updated our contact information with DEP.

Mr. Marciniak went over the Audit Report that John Farinelli conducted. There was no missing or misappropriating of any monies and all books in all funds balanced.

Butler COG is having a meeting on April 9th at the Cranberry Township Public Works Building if anyone is interested in attending.

PA State of Borough's is having a meeting on May 21st at the East Spring Café in Zelienople.

Mr. Boice said he got a number to call from Mr. Tatton to look at the ditches that need cleaned across from Mr. Bryan's, as this is a state road. Mr. Boice said this is only contingent as to him getting a hold of him.

Mr. Gitzen wanted to know if Bob Koch was back on the job from PCS; council said yes,

PAY BILLS: Motion made by Mr. Stellfox to pay the General Fund Bills for \$2,512.66; Mr. Wagner 2nd. All approved but Mr. Gitzen. Roll call: Mr. Gitzen; no, Mr. Boice; yes, Mr. Stellfox; yes, Ms. Harmon; yes, Mr. Wagner; yes and chair; yes. Motion carried.

Motion made by Mr. Boice to pay the Sewage Fund Bills for \$1,838.28; Ms. Harmon 2nd. All approved but Mr. Gitzen. Roll call: Mr. Gitzen; no, Mr. Boice; yes, Mr. Stellfox; yes, Ms. Harmon; yes, Mr. Wagner; yes and chair; yes. Motion carried.

Round Table:

Mr. Gitzen	The Time of Sale Ordinance – we cannot hold people hostage that live in mobile home parks. The people are not responsible for what’s in the ground. There should be no picking on home park owners or the people in the park. The Ordinance needs more spelled out. Think about this for the next meeting, be fair to fair.
Mr. Boice	No additional comments.
Mr. Stellfox	The Time of Sale Ordinance – Issues were addressed and he himself personally asked other park owners for their opinions/suggestions/recommendations.
Ms. Marzullo	Received notice from Peoples Natural Gas Company and lowering their rates. YEH!
Mayor Butler	Anyone want any yard signs?
Ms. Harmon	Please watch the televised commissioner debate – good job Commissioner Butler!
Mr. Wagner	No additional comments.
Mr. Colangelo	No additional comments.
Mr. Horvat	Good to see everyone again!

ADJOURN: 9:25PM. No further business at hand, motion made by Mr. Stellfox to adjourn; Mr. Wagner 2nd. Motion carried.