



REGULAR COUNCIL MEETING MINUTES
February 6, 2017 @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 to the flag and a prayer given by Pastor Steve Cort. The following Council members were present: Mary Harmon, Glen Gitzen, Sam Wagner, Chad Green, Bob Boice and Mayor Jim Butler. Eric Hilliard was absent. Stepanian & Menchyk, LLP Solicitor, Andrew Menchyk and KLH Engineer, Shawn Rosensteel were also in attendance.

APPROVAL OF MINUTES: There were no changes to the January 3, 2017 Regular Council Meeting Minutes. Mr. Gitzen made motion to approve the January 3, 2017 Regular Council Meeting Minutes; Mr. Boice 2nd. Motion carried.

VISITORS: Mike Allen, BJ Fediaczko plus more residents of Prospect Borough (see attached sign-in sheet).

Mike Allen from Mark West Pipe Line Co. presented a map to the Council with a route for their proposed pipeline. A portion will go through the property on Route 528 and they have the option to purchase the adjoining property which is now owned by Mr. Fehl. Mr. Allen would like to donate this property back once all completed to the Borough to use for a Park, etc. The pipeline will be parallel with the road and is thirty feet (30') from road where the turnaround is. Mr. Allen is asking permission to go onto our property if we sign the agreement and in return we receive the Fehl property. Mr. Marciniak stressed that we were not voting on the pipeline that was between the property owners and gas company, all we were voting was for the agreement to receive the donated Fehl property. Mr. Allen said that the pipeline originates east of Moraine Park, Kobylinski's property. Solicitor Menchyk stated we would need an easement agreement to waive the liability which includes the property in question and a donation agreement from Mr. Allen contingent on Solicitor Menchyk's approval. Mr. Wagner made motion to accept Mike Allen's new proposal agreements contingent on Mr. Menchyk's decision after reviewing all said documents; Mr. Green 2nd. Motion carried.

BJ Fediaczko described the condition of the home and garage on 336 Kennedy Road as it in deplorable condition. According to the Ordinance in section 10, Health and Safety, this home should have been taken care of a few years ago. Mayor Butler agreed it needs bulldozed.

Solicitor Menchyk stated that according to our ordinance we need our Zoning Officer to go out and inspect the home, write up a report and submit it back to the Mayor and Council. It was decided by Council to have this expedited right away.

Denise Foster was upset as the Fire Department and Police were just at her home for burning logs. She said they were sent to her home because someone called in and said they were burning tires. She is tired of people constantly turning them in for things they are not doing; she is tired of being harassed. She stated that a Council member yesterday was walking their property line. Mr. Marciniak told her to be careful of what she said as no official was there, so do not accuse us as we have the right to take legal action for wrongful allegations and we shall do so. He stated that this is a neighbor dispute and there was nothing the Council could do. He said that she needed to confer with her own attorney. Mr. Green, councilman said that he was resigning and Mr. Marciniak told him we were not accepting any resignations at this time.

LIBRARY: Glen Gitzen went over the Library Report (see attached). Ms. Marzullo will post this on the office window and website.

PUBLIC SAFETY: Ms. Harmon said that the SwiftReach Program was on hold until we receive further information.

Ms. Harmon told all Council about the NIMS class being on February 23rd held at the Connoquenessing Volunteer Fire Department as all need to attend and to see what we can do to enlighten up our Borough.

PLANNING COMMISSION: Alan Vagasky said his committee met in January to go over the Kline and Taylor/Shaffer subdivisions and referred their recommendations contingent upon engineer and council approval. Mr. Boice made motion to have the Kline Mylar signed; Mr. Wagner 2nd. Motion carried.

Mr. Green made motion to have the Taylor/Shaffer Mylar signed contingent they submit a new plan to KLH Engineering; Mr. Boice 2nd. Motion carried.

STORMWATER MANAGEMENT AND STREETS: Mr. Boice had nothing to report.

BUILDING & GROUNDS/MAINTENANCE & FACILITY: Mr. Boice made motion to purchase a new blade for the bucket on our backhoe at a cost of \$662.35; Mr. Gitzen 2nd. Motion carried.

Mr. Boice made motion to purchase an organizer for bolts, etc. in the garage from Harbor Freight at a cost of \$129.99; Mr. Wagner 2nd. Motion carried.

Mr. Wagner made motion to order a new toilet for the men's room in office building at a cost up to \$300.00; Mr. Boice 2nd. Motion carried.

Mr. Gitzen made motion to purchase up to two (2) loads (40,000lbs. each) of bulk salt for 2018 from SHACOG; Mr. Boice 2nd. Motion carried. Any anti-skid needed we will just keep our open agreement with Franklin Township.

Mr. Marciniak brought up SHACOG for miscellaneous expenditures and Robert Hixson (Higgy) came up with a wish list for 2017. If these items are needed we can purchase them up to a discount of 40%. Mr. Gitzen made motion to have these items accessible to order to redeem the discount by SHACOG; Mr. Boice 2nd. Motion carried.

PERSONNEL: Mr. Green stated that the Personnel Committee still needed to get together with Mayor Butler to go over the procedures that coincide with the policy handbook for evaluation process. Mr. Marciniak asked Mr. Green to set up a meeting.

MAYOR: Mayor Butler said he has not heard from Jessica Saul for the Color Run Event but they were waiting on the next Moraine School Board Meeting.

POLICE: See Police Report.

Mayor Butler said the emergency brake was hanging down on the Ford and they had to take it in for repairs.

To ratify a call vote Mr. Wagner made motion to replace the police laptop; Mr. Gitzen 2nd. Motion carried.

Mayor Butler introduced our new part-time office Rachel Sporrer to Council.



Welcome Aboard Rachel!

SEWAGE: Mr. Rosentsteel told Council there were questions to answer regarding the Grant submitted and it was forwarded to another engineer at KLH.

Mr. Gitzen made motion to purchase the two (2) starters (capacitors) for the McNaughton Pump Station Panel; Mr. Green 2nd. Motion carried.

Mr. Wagner said the cost on the installation of panel is on hold as QCI Controls may install and we are waiting on quote.

Mr. Rosensteel said that Chapter 94 Wasteload Management report will be completed end of month; due March 1st.

Mr. Wagner sent Dustin Drew a letter on January 11th to set up a meeting to get our rates lowered, no response yet.

Mr. Rosensteel submitted the 6th Quarter CAP Report to DEP.

Mr. Rosensteel said that they are still looking for a chopper pump replacement for the Wilson Road Pump Station. They need to keep the flow rate and horse power for the new pump the same to keep the same permit.

Mr. Rosensteel said that he has been playing phone tag with John Tovcimak regarding the DCNR evaluation at the storage tanks.

Mr. Wagner asked Ms. Marzullo to send out an email for a Sewage Meeting on Wednesday, February 22nd at 9AM.

OLD BUSINESS: Mr. Marciniak said that the Code Book Codification Committee met the that past month twice and they went through and identified typographical errors and enhancements. He said they are scheduled to meet the later part of this month but things are moving along smoothly.

Solicitor Menchyk said that the Floodplain ordinance was a state-wide directive and the timeframe to adopt is now March 2018; not a concrete deadline.

Mr. Rosensteel reviewed the Dressler's Mark IV "Man Camp" plans from Dressler's engineer. The house is an existing structure, the house is to be used right now as a rental. If this stayed this way they would have to have a subdivision plan and all separate utilities. Dressler's engineer stated and agreed that the house will be used for office business only for the trailer park, no one will reside in house, therefore no subdivision needed. If this status ever changes and the home becomes a residential or another use they would have to separate utilities and a subdivision would need completed. KLH requires them to install man holes at all transitions in their on-lot sewage system, they agreed to that as well. The electrical service is shared between the house and the trailer park and that is OK for now but once again if the structure changes status and the home becomes a residential or another use they would have to have separate services. If the plan is over one acre they are required to get certain permits from the conservation district. Dressler's engineer has indicated they are not over one acre which includes the well, septic, pad for trailers and everything else associated with the development of the trailer park. Once it exceeds over one acre they will be forced to stop and acquire permits and not conduct construction until all the permits are all approved; they agreed to this as well. Mr. Rosensteel said we need to require a disturbance map; an email will be sent to them. Since there is the private water system, a letter from the previous solicitor said that no DEP paperwork was required as long as 25 users or less and no longer than 6 months at a time were on the water system. They are limited to 6 trailers max and the existing house on the current private water system; any new service would have to be DEP and Council approved. Mr. Marciniak said that all is contingent upon engineer's report and that this be upheld and for them to comply with the disturbance mapping.

Mr. Marciniak said that a letter went to the Slippery Rock School District School Board regarding parking during events on January 11th; we have had no response.

Ms. Marzullo said that she has not received anything back signed from the Butler Fairgrounds sewage agreement. She will continue to follow-up.

Solicitor Menchyk said that we are a partially dry municipality; we can have state liquor stores only. Retail and liquor and retail beer were prohibited in 1935 and wholesale beer distributors in 1971.

NEW BUSINESS: Mr. Wagner made motion to purchase Sewage Checks 1000/box at a cost of \$180.00 and Pre-paid envelopes 500/box at a cost of \$290.25; total \$470.25; Mr. Green 2nd. Motion carried.

Mr. Boice made motion to call the Department of Corrections to get summer help for the maintenance department; Mr. Gitzen 2nd. Motion carried.

Mr. Boice made motion to allow Mr. Rosensteel to review the specs and confirm easement for Monroe Street to meet code so we can start to work on this right of way; Mr. Gitzen 2nd. Motion carried.

Mr. Gitzen to authorize Solicitor Menchyk to start to draw up the right of ways agreements for Monroe Street; Mr. Wagner 2nd. Motion carried.

EXECUTIVE SESSION: 8:27PM ~ Legal Matters

RESUMED: 8:42PM

Mr. Boice made motion to allow Solicitor Menchyk to start the legal process of what was discussed during the executive session; Mr. Gitzen 2nd. Motion carried.

Ms. Marzullo is to call Armstrong to see what their letter meant by a new agreement.

Mr. Marciniak mentioned that the next Butler County Borough's Association meeting was on March 16th; 6:30PM; cost \$19.00 person.

PAY BILLS: Motion made by Mr. Wagner to pay the General Fund Bills for \$2,099.56; Mr. Green 2nd. Motion carried.

Motion made by Mr. Wagner to pay the Sewage Fund Bills for \$1,533.30; Mr. Green 2nd. Motion carried.

Motion made by Mr. Wagner to pay the Highway Aid Bills for \$2,271.05; Mr. Green 2nd. Motion carried.

Round Table:

Mr. Boice



Thank you, Higgy, and George on the building of the salt bin. Thank you also to the salt bin vendors who donated their products and time. Thank you to the Mayor and Bill for their work on the code book.

Mr. Green

No additional comments.

Mr. Wagner

No additional comments.

Ms. Marzullo

To Thank Bob again...no "NO" votes; no roll call votes.

Mr. Menchyk

No additional comments.

Mr. Gitzen

No additional comments

Ms. Harmon

No additional comments.

Mayor Butler

He wanted to say that the complaint about the junk car on Kennedy Road does have a for sale sign on it.

Higgy

No additional comments.

Office Matt

No additional comments.

Jared

No additional comments.

Mr. Marciniak

We are still reviewing the code book for changes, will have these typed soon for all to review and to be approved by Council. A lot of progress and this council moving ahead with Monroe Street is great news!



ADJOURN: 8:55PM. No further business at hand, motion made by Mr. Wagner to adjourn; Mr. Green 2nd. Motion carried.