



REGULAR COUNCIL MEETING MINUTES

October 2, 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 moment of silence. The following council members were present: Mary Harmon, Eric Hilliard, Bill Katz, Sam Wagner, Bob Boice, and Mayor Jim Butler. Stephanian & Menchyk, LLP Solicitor, Andrew Menchyk and KLH Engineer, Sam Deffenbaugh was also in attendance.

APPROVAL OF MINUTES: September minutes were tabled and will be discussed in Executive session.

VISITORS: No community issues.

LIBRARY/RECREATION: The Halloween posters were made and distributed. There will be seven (7) 1st place prizes of \$10.00, six (6) 2nd prizes of \$5.00, and six (6) third prizes of \$3.00. Motion was made for the secretary to write the prize checks. Mr. Boice motioned for checks to be written and Mr. Katz 2nd. All in favor, motion carried and approved.

PUBLIC SAFETY:

President Marciniak attended the Council of Government (COG) meeting on September 14th. They discussed Act 172 regarding local tax credits for firefighters and EMS credit for real estate and earned income with a cap of \$250.00 on each. We can't give the real estate credit since Butler County has a law that the only way to lower this is to have a countywide assessment done. COG also voted to make this ordinance county wide. Cranberry has already created a sample ordinance and President Marciniak requested Mr. Menchyk to review the ordinance and report back at next council meeting. Follow-up at November meeting.

Mr. Boice read an article in the borough magazine about having an AED at the borough office. The cost is approximately \$3,000.00. We should consider this purchase.

PLANNING: At the September meeting we signed off (pending approval) on the final plan of the drawing on the Dressler property and a question raised on the Tom Taylor subdivision and it was approved by Borough Council in the mid 1990's as it stands. The next meeting is the 3rd Monday in October.

STORMWATER MANAGEMENT AND STREETS: Mr. Boice stated that at the October 17th meeting they will be meeting with the state regarding a new bridge on State Road 3034. The bridge is in Franklin Township not in Prospect Borough.

President Marciniak stated that the Kennedy Road paving was done but they could have used a tamp to make the road better. Franklin Township purchased a new tamp and have their old one out for bid. It was suggested we offer them \$500.00. Mr. Boice motioned to purchase the tamp for \$500.00; Mr. Hilliard 2nd. All in favor, motion carried and approved.

BUILDING AND GROUNDS/MAINTENANCE FACILITY: Mr. Wagner reports that the backhoe has a slow hydraulic fluid leak that needs fixed. Mr. Wagner motioned for the backhoe be serviced at Walsh's for a cost of \$2,922.44. Mr. Katz offered for his business to see what repairs maybe needed free of charge and if they can repair the leak before taking it to Walsh's and check what other servicing may need done. Mr. Katz will then inform council on what other items may need repaired. Mr. Wagner withdrew his motion. We will revisit this at the November meeting.

Phone calls were made to council members in order to purchase a new battery and extension cord for our generator that we need for work that is being done tomorrow. We got 4 yes votes in favor of purchase. Mr. Boice made a motion to purchase these items and Mr. Katz 2nd. All in favor, motion carried and approved.

The location for the mounting of the sewage collection box was discussed. Locations discussed were: mounting it here on the Borough building, at the curb side at the Library or by our mailbox on Monroe Street. Also discussed was to move our gates or keep them locked and discussion of posting No Trespassing signs as there have been children on the property riding dirt bikes and making ramps in our dirt piles. We will table the issue on where to mount the collection box for the November meeting.

PERSONNEL: Motion was made by Mr. Katz for Ms. Stoops and Ms. Beck to cover the office from 7:30a-3:30p Monday – Thursday until the office takes over the Sewage collection and this will be revisited with office being open on Friday also. Mr. Hilliard 2nd the motion. All in favor, motion carried and approved.

There was a motion to separate the two (2) positions. Mr. Katz motioned that the position be titled Secretary/Assistant Treasurer and Treasurer/Assistant Secretary with Ms. Stoops being the Secretary/Assistant Treasurer. Mr. Katz 1st, and Mr. Boice 2nd. Ms. Beck being the Treasurer/Assistant Secretary. Mr. Katz 1st and Mr. Boice 2nd motion. All in favor, motion carried and approved. Mr. Menchyk will review the resolutions when completed.

Ms. Harmon inquired if background checks had been requested on Ms. Stoops and Ms. Beck. President Marciniak stated he had not requested them to be done as they both had prior checks done due to prior jobs and copies of the background checks were placed in their personnel files.

MAYOR: Mayor Butler thanked the maintenance crew for putting up the fall banners in town.

I attended the Butler County Tax Collection (BCTCC) meeting they also discussed the fireman and EMS earned income tax. Berkheimer noted and passed out a draft form that the Firemen and EMS to fill out and take to their Chief to sign and send to Berkheimer.

I attended the Harvest Festival and was appointed as judge for the pie eating contest. Great festival.

POLICE: The Police activity report was distributed to council members. I would like to thank Ms. Beck for assisting me with report. We will have additional hours due to training outside the office for Officer Tatton.

Homeland Security came to collect the laptop we had purchased as it was one (1) of 400 that was reported stolen from the EPA. The vendor said they would stand behind the purchase and reimburse us for it. We may explore the purchase of an iPad instead of a laptop.

Officer Sporrer has started her training with Officer Wagner.

Complaints have been received on the following properties:

1. 143 N. Franklin Street – This house is falling down and we should have our Code Officer look at this property. Mr. Katz motioned for the Code Officer to go look at this property, Mr. Hilliard 2nd motion. All in favor, motion carried and approved.

And also, a truck sitting on the property with flat tires. Certified letters have been sent but the property owner won't pick them up and until there is a change in our ordinance and codification nothing can be done. After we change our codification (Mr. Menchyk has drafted a new part of the ordinance) then we can post the property and this will then be considered notification. But until we finish our codification, nothing can be done.

2. Also, there was a complaint on 151 N. Franklin Street regarding trash piling up in the backyard of the house. Police are to visit this residence and will give them a citation.

We have a credit with Gall's and 2 items were suggested for purchase; a citation pad for \$21.00 and an AR15 rifle case for \$31.00. We have \$170.00 credit due.

We would also like to request approval for a new purchase for an empty magazine for our AR15 for \$10.00 from RK guns (Rural King). Mr. Katz motioned for this purchase, Mr. Boice 2nd motion. All in favor, motion carried and approved.

Officer Wagner is going to take the police car for a quote from Eck's to get a price to paint the fender (down to exposed metal from the car wash) and to fix the cracked door hinge.

SEWAGE: The blower at the EQ tank is leaking oil and we got a quote to fix this issue from RAM Industrial but RAM said it is beyond economical repair, meaning it will cost more to repair (\$7,507.00). Mr. Wagner motioned to purchase a new blower at the cost of \$5,757.00 plus shipping, Mr. Hilliard 2nd the motion. All in favor, motion carried and approved.

Our flow meter has never been calibrated and it is recommended to be done annually. Motion was made by Mr. Wagner to have the meter calibrated at a price of \$229.38, Mr. Katz 2nd motion. All in favor, motion carried and approved.

KLH has composed a letter, pending council approval, requesting a Corrective Action Plan (CAP) extension for the Wilson Road Pump Station issue. Mr. Wagner motioned for the letter to be approved and letter to be sent, Ms. Harmon 2nd motion. All in favor, motion carried and approved.

President Marciniak passed out examples of the new sewage coupon books for review. Two (2) corrections were recommended by Mr. Menchyk. Corrections will be made before submitting to Minuteman Printing. 350 books (12 coupons per book) will be printed at a cost of \$72.00. 50 with address and no dollar amounts, and 50 with no address and no dollar amounts. The books will be sent to the property owners. Mr. Katz motioned to accept Mr. Menchyk's changes and for the purchase of the payment books, Mr. Hilliard 2nd. All in favor, motion carried and approved.

TRUCK COMMITTEE: nothing to report

OLD BUSINESS: Codification of Books update

New Ordinance for the Codification of Books: After our last meeting, Mr. Menchyk contacted General Code. General Code was not aware that we were doing any more than updating our existing code with general legislation. General Code put Mr. Menchyk in touch with Michael Peters (our account representative) and have him proceed with an editorial and legal analysis. This looks for inconsistencies in our code. Once this is completed; we as a committee and a council can review and make any changes. My recommendation would be to authorize General Code to proceed with a review of our code and generate the legal and editorial analysis. I will also submit our changes to date, so they can also be incorporated. General Code will then generate the codification ordinance, we will then advertise and then adopt, and we will get a new code book. Cost will be between \$10,000.00 to \$20,000.00. Mr. Katz motioned to proceed with analysis and Mr. Hilliard 2nd. All in favor, motion carried and approved.

Thank you to Mr. Hilliard for giving our Maintenance Department an impact wrench, screw gun and impact gun. Also thank you for acting as recorder for our last Council meeting.

Four (4) homeowners for the Monroe street right of way haven't responded yet. Mr. Menchyk will send these homeowners another letter inviting them to attend our November 6 meeting @ 6pm to discuss this. Mr. Menchyk also suggested we should also have our engineer in attendance.

GIS mapping – George is waiting to hear back from KLH to schedule a date.

Impact Fees – put on hold till we hear back from Franklin Township.

Franklin Township sent us our salt agreement for 2018. Mr. Hilliard motioned to accept agreement, Mr. Katz 2nd. All in favor, motion carried and approved.

Facebook page – Put on hold

Fehl property: There is a strip of property that was supposedly given to Mark West, if not, Mr. Fehl would like to donate the property to the borough. Mr. Menchyk will check into this issue.

Harmon Lane – Mr. Menchyk had some more questions and will follow-up next meeting.

NEW BUSINESS:

We have received our copy of our 15 year franchise agreement with Armstrong and a 15 year automatic renewal. Mr. Menchyk will review this agreement with his recommendations and to see if our agreement is good through 2018.

Our Tri-County waste contract is up for renewal with the borough. Cost is currently \$60.00 per month. Mr. Menchyk will review this contract.

We received a letter from Connoquenessing Township regarding establishing a shared police force with them. Evans City is a local model of this. This information was given to the Mayor and he will contact the Evans City Police Department.

The borough received a letter informing us that the McGary property was sold at the Sheriff Sale and we should be receiving lien money that is due the borough.

The borough was informed from the Department of Transportation that for 2018 we will receive \$40,716.10 in Liquid Fuels money, which is more than last year.

Butler County Boroughs Association is holding a “Spouses Night Out” dinner/music on November 4 @ 6:30pm at a cost of \$24.00 at Mac’s Café.

Executive Session: 8:20PM ~ Legal and Personnel Matters

Resumed our meeting after the Executive Session at 8:39PM at that time a motion was made by Mr. Katz; Mr. Hilliard 2nd, to rescind the motion for warning discipline letters for the police regarding working 20 hours from the September minutes. Roll call: President Marciniak – yes, Ms. Harmon – yes, Mr. Katz – yes, Mr. Boice – no, Mr. Wagner – yes, Mr. Hilliard – yes. Motion carried and approved.

Mr. Menchyk to draft a letter for approval by the Borough Committee regarding the Police Department required to work 20 hours per month or disciplinary action will be taken. Roll call: President Marciniak – yes, Ms. Harmon – yes, Mr. Katz – yes, Mr. Boice – yes, Mr. Wagner – no, Mr. Hilliard – yes. Motion carried and approved.

Motion was made for September minutes to be approved as written. Mr. Hilliard motioned approval of minutes and Mr. Katz 2nd. All in favor, motion carried and approved.

PAY BILLS: A motion was made by Mr. Hilliard, Mr. Katz 2nd, to pay \$536.75 from the General Fund. All in favor., motion carried and approved.

A motion was made by Mr. Hilliard, Mr. Katz 2nd, to pay \$82.50 from the Sewage Fund. All in favor, motion carried and approved.

A motion was made by Mr. Boice, Mr. Katz 2nd to pay \$218.24 from the Highway Fund. All in favor, motion carried and approved.

ROUND TABLE:

Mr. Boice stated he was not happy and there are too many problems in the borough.

Mr. Katz stated that he feels we are making progress.

Mr. Wagner nothing

Judy Stoops thanked all the council members for their help and patience.

Terry Beck thanks council members for all their assistance and patience.

Mr. Hilliard nothing

Ms. Harmon re: cigarette butts and cigars in parking lot and keeping our parking lot clean of litter.

Mayor Butler thanked Ms. Beck for her help with his report today.

Solicitor Menchyk stated we need to move forward cautiously with personnel issues

Mr. Simic nothing

President Marciniak thanked the residents and council for being understanding during our transition and for being patient with our new girls. Council is a tough job and we are trying to make things better. I encourage council to attend county activities and government meetings and training.

ADJOURN: Motion was made to adjourn meeting at 8:55PM by Mr. Hilliard, Mr. Katz 2nd. All in favor, motion carried and approved.

Judith A. Stoops – Secretary/Assistant Treasurer

Terry L. Beck – Treasurer/Assistant Secretary