



## COUNCIL MEETING MINUTES

June 1, 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; Romel Nicholas and KLH Engineer; Eric Tissue were also in attendance.

**APPROVAL OF MINUTES:** There was one change on Mr. Gitzen's comments on the Round Table section to the May 4, 2015 Regular Council Meeting Minutes. Mr. Stellfox made motion to approve the May 4, 2015 Regular Council Meeting Minutes; Mr. Bryan 2<sup>nd</sup>. Motion carried.

**VISITORS:** Heather Moser with Girl Scout Troop # 21902, Nick Vaccarello plus more residents of Prospect Borough (see attached sign-in sheet).

A few Girl Scouts from Troop #21902 read a letter to the council explaining that they were trying to obtain their Bronze and Silver Awards. They were looking for some land that they could put a picnic table, plant flowers and possibly in the future have a community garden. The Girl Scouts would need a project sponsor and were asking the council if they were be their sponsor. Mr. Boice made motion that Prospect Borough Council would be their sponsor; Mr. Bryan 2<sup>nd</sup>. Motion carried. The council told the Girl Scouts they need to look into the area of land; which they may have three areas that are possibly available and will get back to the Girl Scouts on the location. Mr. Marciniak said that this sponsorship would fall under the Parks and Recreation Committee. The council gave Mr. Nicholas the approval to review and write up a resolution.

Mr. Vaccarello stated with the large rainfall the Borough had yesterday he now has a problem with the storm sewer project; his survey shows the catch basin and pipe are located on his property. Mr. Vaccarello says he needs to talk to our engineer before he goes through the legal process.

**LIBRARY:** Mr. Bryan said that the Library now has an Assistant Librarian; Ann Curtis.

**PUBLIC SAFETY:** Ms. Harmon said that she is waiting to get together with Mayor Butler. Mayor Butler said that he is available next week and it was decided they will meet sometime next week.

**PLANNING COMMISSION:** Alan Vagasky was not able to make the meeting but did call in and said that he had nothing to report.

Mr. Marciniak said that he talked to Mr. Colangelo and it was determined that all plans in the future must first go through our Planning Commission second the Borough engineer and finally the Borough Council to approve. This changes our old procedure as the President of Council used to sign off on these plans and divisions once the Planning Commission approved; now the engineer will. This new procedure in handling plans and divisions protects the Borough. The engineer has to set up a reasonable fee for the resident; these monies do not go to the borough. Mr. Stellfox made motion to allow the Borough engineer to review the plan after the Planning Commission approves, then the Borough Council to approve and finally the Borough engineer to sign off on the final plan; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

**PARKS and RECREATION:** Mr. Bryan said all looks well at the pavilion.

Mr. Marciniak brought up the Young Lungs at Play, the Keystone Wellness Program, in which a resolution would need drawn up. The borough council needs to establish an amount to use for a fine for anyone caught smoking. Mr. Nicholas said the sample resolution that the Wellness Program provided needs some language changed. This resolution needs to incorporate all Borough property but to keep in mind the Slippery Rock School District owns the Park. Mr. Nicholas will look into this further. Mr. Bryan made motion for Mr. Nicholas to draw up a broader resolution that can also be amended for no smoking on all Prospect Borough properties and the School Park; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

**STORMWATER MANAGEMENT AND STREETS:** Mr. Boice said the drainage issue complaint from Kathy Sliker on Kennedy Road will be taken care of by Mr. Hixson (Higgy) once the land in question dries up.

Mr. Boice said he met with Dick Knapko, from PennDot, and Mr. Knapko suggested Kennedy Road's first section to be sealed, cost approximately \$6,000.00. Mr. Boice said that Ralph from Suit-Kote was looking for early work. Franklin Township was also getting bids for road work and maybe we could get a bid from one their contractors.

Mr. Boice said that Mr. Hixson (Higgy) and his crew will be adding rip rap to the ditch on Wilson Road.

Mr. Boice said that they looked at a drainage problem on Orchard Drive/Rt. 528 and Mr. Hixson (Higgy) walked into a large hole. The State put in the catch basin but they told

Mr. Boice it is our problem. Mr. Boice recommended that maybe we could have the engineer look at it sometime when he is in our area but until then to prevent injury to anyone they will have Mr. Hixson (Higgy) and his crew fill up the hole with dirt. Mr. Boice said the culvert/ditch issue with Mayor Butler's property is still up for discussion as to whom owns the streets. Mayor Butler said that the borough has been taking care of these streets. Mr. Boice said that it has to be determined if we own the road first before we fix them. Mr. Boice said that we would need to have a sixteen foot wide road through there if we adopt. Mr. Nicholas is to talk to Ms. Harmon and the Street Committee after meeting.

Mr. Stellfox made motion to have Mr. Hixson (Higgy) and his crew gather up the small flags that are around the Borough; Mr. Bryan 2<sup>nd</sup>. Motion carried. Mr. Stellfox said he would help Mr. Hixson (Higgy).

**BUILDING & GROUNDS/MAINTENANCE & FACILITY:** Mr. Wagner said that the building we use for storage is bad and thinking about tearing part of it down; possibly using for salt storage as the floor is in good shape. Mr. Boice said he thought we were going to check with Franklin Township for anti-skid. Mr. Boice said that Connoquenessing never charged us and Franklin Township did not either. Mr. Boice said that Ms. Marzullo did call the Connoquenessing secretary and asked about any monies owed.

**PERSONNEL:** Mr. Marciniak said that the new police officer was sworn in; Michael Dalcamo.

Mr. Marciniak said that the Personal Committee will be starting evaluations in June for all personnel.

Mr. Gitzen wanted to know about the letter that said if all personnel had read the policy and procedures. He was told that this was just a copy of a letter of what went to the Borough employees to sign as he is on the Personnel Committee.

**MAYOR:** Mayor Butler wanted to thank everyone for the Community Day Parade; nice turn out. He wanted to thank Mr. Hixson (Higgy) and Mr. Osborne for setting the American flags out. Mayor Butler also asked Mr. Hixson to put up the summer flags soon.

Mayor Butler performed a Wedding Ceremony and donated the proceeds to the Preservation Society and the Prospect Library.

**POLICE:** Mayor Butler said he swore in Michael Dalcamo and that he has had training runs with our police officers; Chuck Tatton and Matt Wagner.

Mayor Butler went briefly over the Police Report.

Mayor Butler sent our police officer; David Murrman an email asking his status on coming to work here as we need some action from him or resignation. Mr. Sam Wagner and Officer Matt Wagner talked to Mr. Murrman. Mayor Butler said that Mr. Murrman was to email his schedule to Officer Tatton every Friday and Officer Tatton never received anything. Mayor Butler said this issue was up to council how to proceed. Mr. Marciniak said that we should give him one more month and if he does not show any interest than release him. Mayor Butler is to send a certified letter to Mr. Murrman and know of what his plans are.

Mr. Bryan wanted to know if we could reduce the speed limit on Bear Creek Road as people are speeding. Mayor Butler said we would have to do a traffic study through PennDot.

Ms. Harmon questioned the bill from Markl and wanted to know what it was for. Mayor Butler said a back order of probably ammunition but would have to see the invoice. Ms. Marzullo will get a copy of the invoice to Ms. Harmon and Mayor Butler.

**SEWAGE:** Mr. Wagner said that the Diana Fair issue was resolved and all charges were dropped.

Mr. Wagner said that even though we had a lot of rain yesterday we had no overflows; there was some flooding at the crossing and nothing at the wet well.

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

Mr. Tissue said that PennVest Payment Request #12 was submitted and should have by June 21<sup>st</sup>.

Mr. Tissue explained the completed testing and grouting of the sewer between manhole 223 and the pump station by Robinson Pipe; two joints failed and were grouted. Mr. Tissue said that DEP has indicated they would like to see a schedule with milestone on additional I/I work the Borough will be conducting.

Mr. Tissue said that they have been comparing the flow data from the Borough meter and the DCNR meter at the EQ tank. The data between the meters have been inconsistent for some time and a recent calibration of the DCNR meter has created greater inconsistencies. The DCNR meter is now showing lower flow readings than the Borough meter. This calls into question how the Borough is being billed (surcharged for flows greater than 160,000 gpd). Mr. Tissue is submitting a letter requested from DCNR outlining the issues and what the invoice differential is between meter readings. He will forward this letter and outline to the Sewage Committee. Mr. Tissue is to meet with DCNR to resolve this and he will set this meeting up with them as quickly as possible.

Mr. Tissue tried to explain the higher West Penn Power bills at the EQ tank. He basically said "pump run times" is the reason for the increase in West Penn Power invoices.

Ms. Harmon mentioned the steps are deteriorating at the EQ tank and they need a restoration job. Mr. Hixson said he could repair this himself all he needs is a little concrete. Ms. Harmon also said the floor of McNaughton is lower than the drainage pipe at the meter vault. Mr. Hixson said he could fill concrete up to the pipe; possibly one yard of concrete needed. Mr. Stellfox made motion for Mr. Hixson (Higgy) and his crew to fix the steps at the EQ tank and fill the concrete up to the pipe on McNaughton; Mr. Wagner 2<sup>nd</sup>. Motion carried.

**OLD BUSINESS:** Mr. Nicholas said that we need Borough's Council approval for the refund from American Choice Program for \$4,465.53 for being overbilled on our electric invoices. Mr. Stellfox made motion to authorize Mr. Nicholas to obtain the refund check in the amount of \$4,465.53; Mr. Boice 2<sup>nd</sup>. Motion carried.

Mr. Marciniak said that there is some confusion of the Time of Sale Ordinance as this was advertised but not voted down as said in previous meeting minutes. This Time of Sale is back in the committee's hands for more clarification.

Mr. Nicholas said that moving forward with a Sheriff Sale he will need authorization to enable a resolution and the Borough needs a threshold base point. Mr. Nicholas said we need criteria examples such as sizable accounts, how do we select and/or dollar amounts owed. Per Mr. Boice hardship is already built in. Mr. Nicholas said the Borough Council has to vote on who we are going to place on Sheriff Sale not the Sewage Committee. Mr. Bryan made motion to proceed with drawing up a resolution for sewer delinquencies over \$3,000.00; Mr. Boice 2<sup>nd</sup>. Motion carried.

Mr. Wagner said the property on 488/528 is finally for sale and now we will just have to wait to see what the possible new owner will do with it.

**NEW BUSINESS:** Mr. Gitzen brought up the Girl Scout issue and suggested the Fireman's Pond and to donate \$150.00 for materials, mulch, etc. Mr. Nicholas told Mr. Gitzen that they were not giving monetary donations just a sponsorship by supplying a location. The money was not given to them. Mr. Bryan and Mr. Boice liked the Fireman's Pond idea for land use. Mr. Wagner stated that the Fire Department still use this property and the road cannot be blocked. Mr. Nicholas said that we need to make it clear up front that we are not the insurer; a Certificate of Insurance is highly recommended. Mr. Gitzen made motion to let the Girl Scouts use the Fireman's Pond area as long as they provide a Certificate of Insurance; Mr. Boice 2<sup>nd</sup>. All approved but Mr. Wagner. Roll call: Mr. Gitzen; yes, Mr. Boice; yes, Mr. Stellfox; yes, Mr. Bryan; yes, Ms. Harmon; yes, Mr. Wagner; no and chair; yes. Motion carried. The Parks

Committee will contact the Girl Scouts to let them know what was decided and if they did not want that area to let us know.

Mr. Nicholas said that the planning commission sign off changes, smoke free on properties and Sheriff Sale scenario resolutions can all be modified before adopting.

Mr. Wagner approved new shirts, sweatshirts and hats (maintenance uniforms) for Mr. Hixson (Higgy) and Mr. Osborne up to \$500.00; Mr. Stellfox 2<sup>nd</sup>. Motion carried. Mr. Gitzen offered to get the sizes needed and order them.

Mr. Bryan had a thought of charging a fee for political signs; some other municipalities do it. Mr. Stellfox and Mr. Boice thought this was a good idea. Mayor Butler said that some make you put a deposit down but once the election is over and you pick up all your signs you receive the deposit back. There are restrictions by size by square feet. The problems lie with the signs blocking intersections, not being picked up after election and/or event, etc. It was stated churches would have no fee since they are non-profit. If anyone can obtain a copy of one of these resolutions bring it in for the council to review.

Mr. Stellfox made motion for Mr. Boice to proceed with the Kennedy Road tar and chip Phase I or up to \$6,000.00; Ms. Harmon 2<sup>nd</sup>. Motion carried.

Mr. Marciniak asked all council to look at the Prospector sample and let us know of any changes, additions and/or deletions. Ms. Harmon and Ms. Marzullo will review the Sheriff Sale article and modify it. Please give all suggestions to Ms. Marzullo as this is being planned to go out the end of June.

Mr. Robinson asked about the Burning Ordinance that the Borough adopted as to how this affected the Trailer Court Rules. He was told this could be no less stringent than the Borough's.

**EXECUTIVE SESSION:** 8:55PM to discuss legal matters.

**RESUMED:** 9:27PM

Mr. Wagner made motion that the Council accept responsibility for a mistake made regarding issuance of the permit for Ron Roxbury's property, and allow same. In addition, seek authorization for letter of admonishment for the code officer; Ms. Harmon 2<sup>nd</sup>. Motion carried.

Ms. Harmon made motion to permit Mr. Tissue to contact Drnach Environmental to place meters at Wilson Road to measure the flow plan of action for DEP; Mr. Boice 2<sup>nd</sup>. Motion carried.

**PAY BILLS:** Motion made by Mr. Boice to pay the General Fund Bills for \$3,738.97; Mr. Wagner 2<sup>nd</sup>. Motion carried.

Motion made by Mr. Gitzen to pay the Sewage Fund Bills for \$4,475.63 plus paying back \$2,500.00 to the General Fund as the monies came in; Mr. Bryan 2<sup>nd</sup>. Motion carried.

**Round Table:**

Mr. Boice	Personnel – Look for young workers to help Mr. Hixson (Higgy). Council decided to put an AD in the Prospector for summer help.
Mr. Stellfox	No additional comments.
Mr. Bryan	No additional comments.
Mr. Wagner	Need to rethink clean-up days, residents dropped off after hours
Ms. Harmon	Eric/Sam – Sewage Committee Meeting – June 23rd
Mayor Butler	No additional comments.
Mr. Marciniak	It is now a law for background checks for the Fire Department and Police Department. Good for 3 years. Cost \$93 per individual.
Mr. Gitzen	Pedestrian walk signs why are we not using the stand-up ones. Mr. Wagner said we use the metal street signs now. People were running over the free standing ones with their vehicles.
Mr. Nicholas	No additional comments.
Mr. Tissue	No additional comments.
Ms. Marzullo	No additional comments.

**ADJOURN:** 9:50PM. No further business at hand, motion made by Mr. Stellfox to adjourn; Mr. Boice 2<sup>nd</sup>. Motion carried.