



COUNCIL MEETING MINUTES  
October 7, 2013 @7:00 PM  
159 MONROE STREET

**CALL TO ORDER:** President Jim Harmon called the regular meeting of the Prospect Borough Council to order @7:00PM with a salute to the flag. All Council members were present: Dave Stellfox, Ed Robinson, Bill Marciniak, Glen Gitzen, Pete Bryan, Bob Boice and Mayor Jim Butler. GTN Solicitor; Adam Buchanan and KLH Engineer; Jim Willard were present.

**APPROVAL OF MINUTES:** There were no changes made to the September 3<sup>rd</sup> Regular Council and September 23<sup>rd</sup> 2013 Special Council Meeting Minutes. Motion made by Mr. Marciniak to approve; Mr. Bryan 2<sup>nd</sup>. Motion carried.

**VISITORS:** John Rusnak; HRG, Alan Vagasky, Nick Vaccarello, plus more residents of the Prospect Borough (see attached sign-in sheet).

Mr. Vaccarello had issues with Wilson Road; one was overflow on property and 2<sup>nd</sup> was his right of way infringements. He says he was not compensated fully for one that the pricing on the sewer taps changed and he stated that there is no consistency regarding the Borough's requisition.

Dennis Fehl wanted to know what process he should take as he is requesting a 2<sup>nd</sup> tap. Per Mr. Robinson to send a letter into the Borough in writing of what all he is requesting.

**LIBRARY:** See attached Report.

They made an appeal to next year's budget as they had not received their donation yet in 2013. Per Mr. Harmon they will receive a check sometime this month.

They also need someone for snow removal for their parking lot. Per council the Borough will take care of the parking lot but for the sidewalks the Borough can not be responsible as it would be a liability issue.

**PUBLIC SERVICES:** Per Mr. Gitzen everyone has a copy of the sidewalk ordinance and map. Mr. Gitzen needs all suggestions given to him by Friday, October 10<sup>th</sup>. Mr. Rusnak; HRG Engineer, needs all input to see where sidewalk should go and he is relying on us to see what we want. Once he has all information he can determine the size, depth, thickness and state right of way he can get us an estimated cost; budget purposes only. He would like this wrapped

up by the end of this month. He also said we are already two thirds done. Mr. Marciniak said we need the survey for grants by January 4, 2014. Mr. Rusnak needs to know if any sidewalks need added but explained we can have sidewalks on only one side of the street not both sides but to keep in mind pedestrian access routes; destination to destination, business to development. Per Mr. Rusnak he realizes the problem when owners on one side of street will have costs for sidewalks and the other side of street will have no costs. We will need an ordinance to repair amends; there are requirements that do apply to the public and not residents and visa versa. He says there is not a simple answer and that is why he needs all our suggestion first. Per Mr. Gitzen there are so many issues that is why the council hired Mr. Rusnak and that we will stay within budget.

**EMS:** Nothing to Report.

**PLANNING COMMISSION:** Nothing to Report.

Alan Vagasky wanted to know about making copies of documents (maps) since we can not make large copies here at the Borough. Mr. Buchanan said there is a legality issue to disclose certain information on copies.

Alan has been working with Bob Koch regarding Ron Lutz's objective for the logging and dumping fill on the 5 acres (1 lot) of property he owns; presumably to break up into multiple lots. Mr. Lutz is using Macintosh Lane for the logging transfer. Mr. Lutz maintains Macintosh Lane as a private road and the Borough did approve of this. Mayor Butler says all this needs to be looked into and to have Mr. Koch investigate it further. The Borough has received a complaint and if we receive any further ones we need to have Mr. Lutz come to a meeting.

**PARKS:** Nothing to Report.

Mr. Marciniak stated with the \$6,800 Grant we received this summer we did receive the partial bill we owed for this Grant in the amount of \$1,800 and it was paid.

Flyers for Halloween Party on October 31, 2013 at the Prospect Volunteer Fire Department Hall will be posted and also put on the Prospect calendar website.

**STREETS AND STORM WATER:** Mr. Hixson (Higgy) and his crew will be fixing the cracks in the streets this week.

**MAINTENANCE & FACILITY:** Nothing to Report.

**PERSONNEL:** We did receive the resignation letter from Ron Ellenberger; police officer, copy in personnel file.

Mr. Marciniak and Judy Marzullo are to have a meeting on Thursday, October 10, with Tammy Abel at RA Services regarding information that needs added to the system. Mr. Marciniak will request at this time that we need a face to face meeting with Ms. Abel as there are entries, reports, etc. that we have not been made aware of yet. Mr. Marciniak is asking a formal request that this was OK from the Council. Per Council in the original agreement we were entitled to a few face to face meeting so therefore this OK.

Mr. Byran and Mr. Marcinak are updating job descriptions.

The Affordable Care Act was discussed because of the hours of our part time employees.

Mr. Don Van Gorder resigned last week as he found a full time job.

Amusement Tax was discussed as the Secretary of the Borough was being paid 5% commission. The ordinance was read by Mr. Buchanan and it states that the Amusement Tax (paperwork, checks, etc.) should all be handled by the Tax Collector which is Judith Raisley. Since no events scheduled till 2014 it was suggested that Mr. Buchanan and Mr. Marciniak get together to discuss and talk to Ms. Raisley.

**MAYOR:** Mayor Butler went over Budget information for General and Sewage Fund. For the end of 2013 we will be in the black which we have been for the last three years.

For the 2014 Budget Mayor Butler needs any suggestions or requests given to him as soon as possible.

**POLICE:** See attached Report.

The Crown Vic police car has a steering problem and there may have been a recall on this issue. The car will be taken to the Ford garage to see if this is covered.

One of the guns, AR15, was delivered. Ms. Marzullo needs that serial number for the Insurance Company.

**SEWAGE:** Mr. Willard passed out a Consulting Engineers and Planning Items Report that was put together after three committee meetings (see attached). Per Mr. Willard we need to have residents send the Borough a letter to requests taps. He also stated we need to show DEP and DCNR that we will complete repairs and renovations before giving out any taps. He says we need to do what is politically correct. The Penn Vest project will be accessible on the internet to get our flow data; DCNR will be able to see this in fact, anyone. Per Mr. Willard with the phantom flow this could mean giving money back to the Borough.

Mr. Buchanan said by end of year one or two council members, himself, Romel Nicholas and Mr. Willard should meet with someone at County level to discuss the plans for the regional authority. Per Mr. Harmon we need to move forward with this as we are not here to plan ahead but push forward; keep visibility. We do need the County's help in this. Mr. Stellfox motioned to have Mr. Nicholas, Mr. Buchanan, Mr. Robinson and Mayor Butler establish a date, time and meet with the County. Mr. Gitzen 2<sup>nd</sup>. All approved but Mr. Boice.

Mr. Willard said not payments will be made from project till at least three months after project is completed, earliest one year from now.

Penn Vest will reimburse costs incurred from funds and the line of credit.

The Planning Item Report regarding the Wilson Road Storm Sewer needs to be addressed in the executive session.

For the property pin replacement, need Borough Council to take action. Mr. Willard has no costs as this time but doing so it will save costs. We need to stake the properties first, process the one call, get the Auger to set the monuments, all land owners notified in writing and Mr. Vaccarello to know ahead of time. Mr. Robinson made motion to have this done; Mr. Stellfox 2<sup>nd</sup>. All approved but Mr. Robinson.

For the Sewer Rates we will hold current rates through June 30, 2014.

**OLD BUSINESS:** Mr. Marciniak let the council know about the quotes from Specialty Insurance on bonding amounts; for \$100,000 - \$444, \$500,000 - \$1,244 and \$1,000,000 - \$2,244 per year per person. Per council for the amount of monies being handled that the \$1,000,000 was needed but they also asked to check if there was an umbrella policy available. Ms. Marzullo will call Insurance Company and will hold the vote till later.

Mr. Marciniak is getting the paperwork ready for the \$120,000 Grant and mailing that will go out to all residents. The Grant is for \$20,000 sewer camera and \$100,000 for sidewalks. This grant has to be filed by January 4, 2014. We are asking residents to have this returned to us by December 1<sup>st</sup>. We need 53% to qualify. This mailing will be done in house. Mr. Robinson made the motion to have the mailing done in house. Mr. Boice 2<sup>nd</sup>. Motion carried. Ms. Marzullo to call Tammy Boice to see if we can get this on our website.

**NEW BUSINESS:** There are nine well drilling companies requesting to lease some of the Borough's property. We will ask Ron Coyer; Slippery Rock Law LLC, to review this and get an estimate for potential leases.

Our new patrolman, Don Lutz, is looking into a grant for three Defibrillators, one for each of the police cars and one for office. Per Mr. Marciniak one does not have to be certified; idiot proof.

**PAY BILLS:** General Fund Bills was Ok'd to be paid. Motion made by Mr. Robinson to pay; Mr. Stellfox 2<sup>nd</sup>. Motion carried.

OK to pay Prospect Borough Fire Department \$7,000, Prospect Community Library \$5,000, Prospect Area Preservation Society \$2,000 and the Prospect Borough Boys and Girls Club \$2,000 from the General Fund. Motion made by Mr. Robinson to pay all; Mr. Gitzen 2<sup>nd</sup>. Motion carried.

OK to pay back \$5,000 from the Sewage Fund to the General Fund and pay all Sewage Fund Bills. Mr. Robinson motioned to pay; Mr. Stellfox 2<sup>nd</sup>. All approved except for Mr. Robinson.

Mr. Robinson made motion that the Penn Vest Bills for September to be approved; Mr. Marciniak 2<sup>nd</sup>. Motion carried.

Executive Session: 9:45PM.

Resumed: 10:00PM.

Motion made by Mr. Gitzen to allow Mr. Willard; KLH Engineer, to have a preliminary negotiation with Mrs. Robinson regarding utility right of way. Mr. Marciniak 2<sup>nd</sup>. All approved except for Mr. Bryan and Mr. Robinson. Mr. Boice has no vote as he had to leave early.

**ADJOURN:** 10:10PM. No further business at hand, motion was made to adjourn. Motion made by Mr. Stellfox to adjourn; Mr. Marciniak 2<sup>nd</sup>. Motion carried.