

March 2, 2009

The regular meeting of the Prospect Borough Council was called to order by President Vaccarello with the Salute to the Flag. The following Council members were present Nick Vaccarello, Doug Trimble, Bob Boice, Glen Dalton, Gus Guenther, Teddy Davis, Jim Harmon and Mayor Butler.

Motion was made by Jim Harmon and seconded by Doug Trimble to approve the minutes from the last meeting with a correction to paragraph 2 last sentences that the December 10th meeting was legal and the Solicitor had documents to prove its legality all present unanimously voted yes. Also Gus Guenther was present at that meeting.

Visitors: William L. Rodgers (Larry), Solicitor for Dean Convery was present to discuss the use of Dean Convery's lot on 422, he was told that he would need a variance to the conditional use, so he can rent out the garage/apartment. There are no taps available because of the moratorium Nick Vaccarello discussed the sewage issue and that he cannot tie the garage into an existing septic system. Mr. Rodgers stated that they would reconsider and check things out and come to the next meeting.

Police Reports: the report was presented by Mayor Butler with 3 complaints, 1 assist other Agency, 1 for harassment, 1 disorderly conduct. There were 13 speeding citations, 12 for max speed and 1 special speed limitations. Officer Pfeil worked 92 hours and Chief Tatton worked 22 hours with 469 miles patrolled. Mayor Butler also presented a 2009 budget for the Police Department. Gus Guenther noted that the Library and Roth Milling were broken into and the Pa. State Police handled the calls and they should have been reflected in the Police Report. Chief Tatton stated that they no longer supply the Borough with reports that they handled in the Borough so he does not have that information to add to the report.

Parks: Nothing to Report.

Streets: Michael English reported that he received a letter from Meyer Excavating's attorney stating that they will have to take legal action if the bill that Meyer's sent the Borough for the Monroe Street project is not paid by March 6, 2009. Gus Guenther made a motion that the Borough pay Meyer \$20,000.00 of the bill, Teddy Davis seconded the motion, Gus Guenther, Teddy Davis, Bob Boice and Glen Dalton voted yes, Jim Harmon, Doug Trimble and Nick Vaccarello voted no, motion passed and the amount of \$20,000.00 will be paid. Jim Harmon and Nick Vaccarello also discussed getting a letter from the property owners in case the system fails. Gus Guenther discussed the re-assignment of Committee Chair persons at the Sewage Committee Meeting by Nick Vaccarello and indicated that it should be done a Council Meetings.

Sewage: Doug Trimble went over the last Sewage Committee meeting. Blower #2 will be repaired; Bob Hixson and Shawn McElroy will handle this with Mann Engineering. The Wilson's have contacted Spreng & Sons Water Well Drilling as to when there well will be completed, it will be done when the weather permits. Doug Evans and Dick Stewart

from NIRA Consulting Engineers were present and talk to Council about upgrading the system to an automatic system and went over the pluses of doing it that way, NIRA's budget for that project would be approximately \$140,000.00 including a generator and Doug Evans stated that the DEP is in favor of this project. He also noted that there is stimulus money coming to Pennsylvania and it will be going to Penn Vest and we could get a loan at a lower interest rate. Nick Vaccarello will also check with Dick Stevens about available funds. Motion was made by Doug Trimble and seconded by Teddy Davis to have NIRA proceed with permit application and funds to continue with the job all present unanimously voted yes. They also need to address the I&I in Wilson Pump Station Watershed, since Wilson Pump Station cannot be upgraded (even if we could, we would only push the problem downstream, not correct it), Doug Evans will contact Allegheny Power to see if 3Phase power could be provided. We have had problems with this issue in the past. Motion was made by Teddy Davis and seconded by Gus Guenther to go ahead with the Flow Monitor work at a cost approximately \$15,000.00 to \$18,000.00 and all voted yes. Doug Evans will also check on three phase meters. Rob Hixson and Shawn McElroy will take out the meters not being used and return them to the Park. There was a questions on the December 10th, 2008 meeting regarding the legality of it, motion was made by Bob Boice and seconded by Jim Harmon to ratify the actions taken and all present approved. There was a discussion with Michael English about Sewage Billing, properties that are delinquent should have liens against the property and if not paid consider lawsuits. Mike English will check on the existing liens. Also to check on the lien on the Derringer property and it should also be in Braden's name (Roxy Diner/Garage). Mr. Derringer is selling the property under an article of agreement. The new tenant Gavon Slater has been paying the sewage since 10/01/2008 but there is a lien on it for \$7538.01 through 12/31/2008. There are five taps on this property and Braden stills holds part of the mortgage. The Wilson Road right-of-way issue, Michael English has not been able to establish ownership. Ed Robinson's deed appears to show a right-of-way but not ownership, Ed Robinson argued that they pay the taxes on it. Michael English will continue to research who the owner is.

Personnel: Gus Guenther suggested that Bob Hixson be able to take the Borough truck home when the weather calls for it and the truck is there when he gets called out late at night. Discussion about request was denied. Bob Hixson and Shawn McElroy will be asked to attend the next Sewage Meeting.

Maintenance of Facility: The new furnace etc. working very well.

Library: The report was presented by Nick Vaccarello.

Planning Commission: Nothing to Report.

Mayor: Mayor Butler read a letter from Walczak Technology Consultants on Main Street thanking Bob and Shawn on the great job they do plowing the streets of Prospect. Also the Code Book Meetings are going well and they hope to be done soon. Mayor also presented a 2009 Budget for the Police Department.

Old Business: Nick Vaccarello signed a paper for the Fire Department regarding the Boroughs commitment to paying toward their new truck.

Communications: A letter from State Pipe was read about testing & grouting of joints in a 6" sewer line and how they were not able to complete it because of the weather and are requesting to come back and do it again. A letter from NIRA was presented about the Proposed Revision to Existing Water Quality Management Permit. A letter from Rural Water was read that they will be in our area throughout March. A letter from the DCNR was presented explaining who to contact about grants between February 4 and April 22, 2008. A letter from NIRA about the review of the Monroe Street Storm Sewer Project was presented.

New Business; Nothing to report.

Pay Bills: Motion was made by Doug Trimble and seconded by Gus Guenther to pay the Bills from the General Fund and to include \$128.25 from Olsen, \$656.00 from NIRA and \$20,000.00 from Meyer Excavating and all present voted yes. Motion was made by Doug Trimble and seconded by Bob Boice to pay the bills from the Sewage Fund and to include \$848.50 from NIRA and all present voted yes.

No further business at hand motion was made to adjourn. The next Council Meeting will be April 6th and the Sewage Meeting will be March 11, 2009.

Marion Cannon,
Recording Secretary

BILLS PAID FEBRUARY 2009
GENERAL FUND

PAYROLL

Robert Hixson	\$535.50
Marion Cannon	\$744.92
Shawn McElroy	\$574.48
Charles Tatton	\$192.37
Edward Pfeil	\$434.22
Edward Pfeil	\$500.32
Marion Cannon	\$649.52
Robert Hixson	\$631.74
Shawn McElroy	\$557.19

UTILITIES & TELEPHONES

Allegheny Power	\$1,050.54
Dominion Peoples	\$78.25
Armstrong (Police Phone)	\$34.95
Armstrong (Offi,Fax, Internet)	\$119.30
AT&T Mobile	\$44.66

LEGAL & ADVERTISING

Butler Eagle	\$56.00
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PAYROLL TAXES

First National Bank(PR Taxes)	\$3,158.18
E-Tides (State Payroll Tax)	\$407.78

INSURANCE

Keystone Health Plan	\$530.80
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MISCELLANEOUS EXPENSES

Marion Canon (Payroll Update)	\$253.34
Prospect Vol Fire Dept	\$6,500.00
Wal-Mart	\$11.96
Mary Lind)W2's year end rept	\$100.00

MAINTENANCE & ROADS

Roth Milling	\$970.20
Lowe's	\$8.97
Myers Excavating	\$26,762.50
Franklin Twp	\$60.00

VEHICLES

United Refining	\$397.73
Butler Tire (Police Car)	\$245.76
Fairground Automotive	\$129.40
Troy Alan	\$206.36
Walsh Equipment	8.58
Walsh Equipment	\$446.46

OFFICE SUPPLIES

Staples	17.97
Postal Service (Envelopes)	243.60

TOTAL BILLS PAID

\$46,663.55

MONTH END GENERAL ACCOUNT BALANCE

\$84,375.56

BILLS PAID FEBRUARY 2009
SEWAGE FUND

PAYROLL

Robert Hixson	\$552.01
Shawn McElroy	\$320.34
Robert Hixson	\$336.20
Shawn McElroy	\$207.31

PROFESSIONAL & LEGAL FEES

Dillon McCandless King	\$281.75
NIRA Consulting Engineer	\$2,312.00

SUPPLIES

UTILITIES AND TELEPHONE

Embarq	\$36.01
Allegheny Power	\$1,698.71
Allegheny Power	\$420.76
Prospect Boro Sewage	\$40.00

LOAN PAYMENTS

Penn Vest	\$1,849.43
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OTHER

Lou Negley's Bottled Water	\$38.25
Randy Hilliard	\$500.00
Lou Negley's Bottled Water	\$14.20

EQUIPMENT REPAIR

TOTAL BILLS PAID

\$8,606.97

MONTH END SEWAGE ACCOUNT BALANCE

\$103,346.52