



COUNCIL MEETING MINUTES  
August 3, 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, Mary Harmon, Sam Wagner, Bob Boice, Pete Bryan, Glen Gitzen and Mayor Jim Butler. GTN Solicitor; Romel Nicholas and KLH Engineer; Eric Tissue were also in attendance.

**APPROVAL OF MINUTES:** There was no changes to the July 6, 2015 Regular Council Meeting Minutes. Mr. Boice made motion to approve the July 6, 2015 Regular Council Meeting Minutes; Ms. Harmon 2<sup>nd</sup>. Motion carried.

**VISITORS:** Todd Wilson, Nick Vaccarello plus more residents of Prospect Borough (see attached sign-in sheet).

Todd Wilson brought up about the soil erosion on each side and surface on the creek crossing on Wilson Road. Ambulances and Fire Equipment will not be able to get over this to reach his home. Our solicitor will look into this with the engineer to see who is responsible for the creek crossing area.

Marc Gagnon wanted to thank the Council and the Engineer for the prompt response to his issue on Bear Creek Road. He really appreciated it! Mr. Marciniak said it was nice to work with citizens who bring a problem to the council and cares more about getting the problem fixed than obtaining their own personal financial gain; if more residents were like this we would accomplish more.

Nick Vaccarello is not happy with the way our engineer told the Council how to finish off the ditch on Wilson Road. Mr. Vaccarello said the ditch was added with stone and it is in a swale which was the wrong thing to do. He then proceeded to say that now the stone is higher than the catch basin which will result in water on his driveway. Mr. Marciniak said to Mr. Vaccarello that we have spent hundreds of thousands of dollars to fix the problems on Wilson Road and that we followed the advisement from KLH Engineering and completed the

job accordingly. Mr. Marciniak said that this spring, as all of us are aware, we had excessive rain and our engineers told us that this would work.

Ms. Robinson wanted to know why the headwalls are still on her property after three years. Mr. Marciniak stated that Mr. Robinson told us that we were not allowed on the property. Per Mr. Marciniak this will continue in the executive session. Mr. Wilson said that the headwalls were too big and would not have twenty (20) feet. Mr. Marciniak said our engineer will figure out what is best.

Ms. Pitchford wanted to speak on the Time of Sale Ordinance. She says the Time of Sale does not comply with the fourth amendment of the United States; infringes on the right of privacy. Mr. Nicholas basically said that if a person did not allow the borough to come onto their property the property owner therefore is in noncompliance so then the municipality would then proceed to get a court order to gain permission to enter the home. Mr. Nicholas said our ordinance is in compliance, it is how far you want to go. Mr. Stellfox wants to make sure we cover all contingencies and the Council's goal is to take water out of the sewage system. Ms. Harmon says this is to correct the I/I which will save us all. Mr. Pitchford thought we have done a commendable job. Mr. Robinson brought up what is a legal device. Mr. Nicholas stated this is all addressed under definitions. Mr. Nicholas said that the DEP is forcing everyone's hands. Mr. Robinson said that Mr. Stellfox was going to have all mobile home owners come to the meeting to help with this ordinance but never got back to him. Mr. Stellfox said not to go there as he has talked to all mobile home park owners to get their input.

Mr. Robinson then got off the subject and went to why our engineers were metering the mobile home parks. Mr. Marciniak said we are trying to find out where we are getting the infiltration from and that is why we started on Wilson Road and moving outward.

Back to Time of Sale: Mr. Vaccarello says he has two (2) furnaces; one connected to a drain and the other a floor drain plus a sewage pump station in house. Mr. Stellfox says we need to define what a device is in the Time of Sale Ordinance other than a sump pump; need to make a clarification for the general public. Mr. Nicholas said we need to keep it simple or how far do we want to go. Mr. Gitzen wanted to know what the expense was for the rentals (lessees) and who was responsible for repairs. Kris Callen, Berkshire Realtor, said that this policy has been in place since 2004; a sales agreement, certain tests performed and all for the protection of the homeowner. Mr. Nicholas asked to further discuss in executive session.

**LIBRARY:** Mr. Bryan said that all is well. The summer reading program did great and the children read over 4,700 books.

**PUBLIC SAFETY:** Ms. Harmon said that the policies and procedures are still work in progress.

**PLANNING COMMISSION:** Per Alan Vagasky nothing to report.

**PARKS and RECREATION:** Mr. Bryan said all looks well; all clean.

**STORMWATER MANAGEMENT AND STREETS:** Mr. Boice said the ditch work was completed on Wilson Road.

Mr. Boice told Council that the work on Bear Creek Road is in progress and should be done by the end of this week.

Mr. Boice said he got several bids for the tar and chip on Kennedy Road; from the Connoquenessing line to Crown Hill Road. Russell Standard was too busy, Shields Paving did not do sealing only paving, Suit-Kote gave us a cost of \$13,334 depending that we used them when they were doing Franklin Township roads and Voelker Paving for \$13,108. Mr. Boice made motion to have Voelker Paving tar and chip Kennedy Road for \$13,108; Mr. Stellfox 2<sup>nd</sup>. Motion carried.

**BUILDING & GROUNDS/MAINTENANCE & FACILITY:** Mr. Wagner said that Mr. Bryan and he would review the Electric Power Programs and that he would give the Council his recommendations at next month's meeting.

**PERSONNEL:** Mr. Marciniak stated that all evaluations were completed and would make proposals before the Council at next month's meeting.

**MAYOR:** Mayor Butler thought that Rubes Run went well this year. He wanted to thank Wendy and Eugene for directing traffic, Mr. Hixson (Higgy) and Mr. Osborne for setting up the cones and Officers Matt Wagner and Chuck Tatton for directing traffic also.

**POLICE:** Mayor Butler went briefly over the Police Report. Mayor Butler said that Officer Michael Dalcamo did not report his hours so the report needs to be redone to get a more complete picture.

Mayor Butler said that Officer Wagner did get in touch with Ken Wilson about putting the light bar on the police cruiser.

Mr. Wagner asked if the Mayor had an opportunity to look into prices on a mobile radio for the Police Department. Mayor Butler has a list and probably will be able to purchase a used one.

**SEWAGE:** Mr. Wagner had an invoice for Todd Wilson's sewage line for \$1975 from a Phil Hay; 100 feet down to the check valve pit. This invoice was given to our engineer, Eric Tissue, to review. Mr. Wilson said he had an agreement with the Borough just like everyone else. Ms. Harmon asked if it was his lateral line and he said yes and it has to pump up the hill. Mr. Wilson said he was going to get his lateral line repaired and Ms. Harmon told him that after he gets this repaired he needs to call the Borough Office to make an appointment to have Mr. Hixson (Higgy) come out and inspect the line before it is covered. Mr. Wilson said this is the third time he has had this line repaired. Mr. Marciniak asked who is responsible; lateral or main line. Mr. Tissue said the pump should be sized to hold the pressure of water; force main. Mr. Tissue will investigate more and the council will take under the engineer's advisement. Mr. Tissue will have something to report by next month's meeting.

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

The DEP conducted its on-site inspection of the facilities as a prerequisite for drawing down the remaining funds. They have requested some additional information which will be provided to them this week.

KLH Engineering have provided a response letter to the DEP letter requesting a plan of action for addressing I/I issues at the Wilson Road pump station.

Mr. Wagner made motion for Wagner Electric to revise the wiring at Wilson Road and the EQ Tank for \$778 so that the Mission System can monitor wet well levels; Ms. Harmon 2<sup>nd</sup>. Motion carried.

Mr. Tissue said at the request of the DCNR, KLH Engineering has submitted a letter on behalf of the Borough outlining the issues and what the invoice differential is between meter readings. These are to be taken to Harrisburg and are waiting for a meeting with them to discuss.

Mr. Vaccarello said that the plastic slats that the Borough used for fencing are growing morning glories; which he considers weeds and is requesting them sprayed.

**OLD BUSINESS:** Mr. Nicholas said that Mr. Colangelo was making inquiries with the school solicitor regarding Young Lungs at Play.

Mr. Romel had nothing to report at this time regarding the Sheriff Sale.

**NEW BUSINESS:** Mr. Wagner made motion to approve Ms. Marzullo to order prepaid envelopes in the approximate amount of \$302.65; Mr. Boice 2<sup>nd</sup>. Motion carried.

All council received a copy of the new Lateral Testing procedures to review.

Mr. Marciniak asked if there was any objection on redoing the Fall Leaf Clean-Up this fall. The Maintenance Department would pick up paper bags filled with leaves left on the curb from our residents. Ms. Harmon did not agree as residents should pick up and take care of their own leaves and not our employees.

Mr. Gitzen made motion to hold the Halloween Party at the Prospect Fire Hall on Saturday, October 31, 2015; judging 5:30PM to 6:00PM and Trick or Treat 6:00PM to 7:30PM; Mr. Boice 2<sup>nd</sup>. Motion carried.

Mr. Marciniak said that he would like the next issue of the Prospector to go out in September so he needs all articles submitted by the end of August to be approved at the next month's meeting. Mr. Robinson asked if he could submit an article and he was told yes but it would have to be approved by Council just like all other articles.

Mr. Marciniak said that the Prospector costs money and would like to start next year placing Ads in the Prospector for a fee of \$25 for four (4) times a year and would like Council's opinion. Round Table: Mr. Gitzen said it was a great idea, Mr. Boice said everyone else is doing it, Mr. Stellfox and Mr. Bryan responded with a yes, Mr. Wagner said yes and maybe have a Smileys coupon included, Ms. Harmon had no comment and Mayor Butler said it was worth a shot!

Mr. Marciniak said that the Rotary Club was renting out our Pavilion on August 11, 2015 and wanted to know Council's thoughts of asking for a deposit. The Council determined since they contribute so much for this Borough and will be using the Pavilion to clean up the cemetery that there is no reason to charge them any fee or deposit.

Mr. Stellfox told the Library people in the audience about the Fire Safety House he saw at the Moraine Regatta. This trailer has inside tiered seating for children, teaches children all about safety, fire, alarms, etc. Mr. Bryan said this trailer is very hi tech. Mr. Marciniak said these trailers are around \$300,000 to set up and are state of the art. Butler County is in the process of manufacturing one and he feels this should be looked into for possibly being brought to our community for or during an event.

**Executive Session:** 8:35PM to discuss legal matters.

**Resumed:** 10:22PM

Mr. Bryan made motion to authorize the engineer and solicitor to create correspondence to relevant property owners adjacent to Wilson Road regarding the culvert issue discussed in executive session; Mr. Boice 2<sup>nd</sup>. Motion carried.

The chair directs that the Time of Sale Ordinance be resubmitted to the Sewage Committee for consideration at next month's meeting.

Mr. Marciniak would like to have the names and addresses of the residents of Prospect Borough who are delinquent on their bills placed in the next month's Prospector. Mr. Bryan made motion to place the names and addresses of all delinquent residents in the next Prospector; Ms. Harmon 2<sup>nd</sup>. All approved but Mr. Boice. Roll call: Mr. Gitzen; yes, Mr. Boice; no, Mr. Stellfox; yes, Mr. Bryan; yes, Ms. Harmon; yes, Mr. Wagner; yes and chair; yes. Motion carried.

Mr. Marciniak said that all paperwork was filed with PennDot for the closing of the roads for the Car Cruise which will be held on September 13, 2015 from 11:00AM to 4PM.

Ms. Harmon made motion to use the Act 13 Impact Fee monies for a new camera to televise the sewage lines; Mr. Wagner 2<sup>nd</sup>. Motion carried.

**PAY BILLS:** Motion made by Mr. Wagner to pay the General Fund Bills for \$5,472.19; Mr. Bryan 2<sup>nd</sup>. Motion carried.

Motion made by Mr. Wagner to pay the Sewage Fund Bills for \$24,315.18; Mr. Stellfox 2<sup>nd</sup>. Motion carried.

**Round Table:**

Mr. Gitzen	No additional comments.
Mr. Boice	No additional comments.
Mr. Stellfox	No additional comments.
Mr. Bryan	He knows we have a lot on our plate but to not forget Monroe Street.
Ms. Marzullo	No additional comments.
Mayor Butler	No additional comments.
Ms. Harmon	No additional comments.

Mr. Wagner            No additional comments.

**ADJOURN:** 10:28PM. No further business at hand, motion made by Mr. Stellfox to adjourn; Mr. Wagner 2<sup>nd</sup>. Motion carried.