



REGULAR COUNCIL MEETING MINUTES

April 3, 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 prayer given by Pastor Deb Crusan. The following Council members were present: Mary Harmon, Eric Hilliard, Glen Gitzen, Chad Green, Bob Boice and Mayor Jim Butler. Sam Wagner was absent. Stepanian & Menchyk, LLP Solicitor, Andrew Menchyk and KLH Engineer, Shawn Rosensteel were also in attendance.

APPROVAL OF MINUTES: There were no changes to the March 6, 2017 Regular Council Meeting Minutes. Mr. Gitzen made motion to approve the March 6, 2017 Regular Council Meeting Minutes; Mr. Hilliard 2nd. Motion carried.

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

Nick Vaccarello said that he had attended a meeting on March 24th at the Engineer's Workshop in Westmoreland County which was represented by the Core of Engineers. He talked to a Tom Mayor and a Sarah Woodaugh about the stormwater at George Wagner's which changed the stream. He told them the Borough selected the option to not do anything and they said this was a violation of eight to ten federal rules. They in turn asked him to help them to prepare a citation against the Borough and he will be helping them. He just wanted to let the Borough Council know that to expect a seize and desist order. Mr. Marciniak told him thank you for your information. Mr. Marciniak told Mr. Vaccarello that his monuments are in and are in cement per our engineer. Mr. Vaccarello disagreed.

Paulette Reeder said that the business at Hogue's residence is still going on and wanted to know if we had a time line set. She is aware that he was to move the business to Franklin Township but this has been going on for over a year and she heard that he was having problems with permits. Mr. Marciniak said that we should have our Zoning Officer go out and pay him another visit.

Jared Kline wanted to know how to get a street address and was told this comes from our Zoning Officer along with the occupancy permit. Ms. Marzullo told him to come in and get a processing application permit. The Council directed him to Judy Raisley for a permit before he moved the modular home in.

LIBRARY: Library Report (see attached).

PUBLIC SAFTEY: Ms. Harmon said that there will be a meeting at the Evans City Fire Hall on May 10th at 6PM to discuss the Radio Project for the police and fire department.

Ms. Harmon said that she started 1-1/2 years ago reviewing the SwiftReach 911 Program. At last month's meeting, we made a motion to accept and pay the annual agreement. Ms. Harmon said that all details were not disclosed as to what was expected of us to contribute and for now she would like us to rescind this motion, cancel the agreement and to have them send us a check back for reimbursement. Ms. Harmon said she did have a consultation with Jeff Alward at SwiftReach911 and he informed her that we could cancel and receive our fees back. Ms. Harmon made a motion to rescind agreement and to have Solicitor Menchyk send them a letter acknowledging our request to cancel and return fees paid; Mr. Green 2nd. Motion carried.

Ms. Harmon said that the Flood Plain Ordinance class was cancelled due to impending weather but there is another Workshop on April 5th at the Butler County EMA Office on McCune Drive from 1:00PM-4:30PM and 7PM-9PM for the Public. She is not able to attend but she will call to check to see if she can get Mr. Boice to attend.

Butler County COG sent information out to see if any municipality had started on an Ordinance involving the Firefighter's Tax Credit. Mr. Marciniak said that this is state wide and some municipalities such as us share boundaries with other municipalities. Mayor Butler said that a state income tax would be better. To get this tax credit it would be that our firefighters receive so many hours of training, attended fires, etc., a whole list. Mr. Marciniak said that we should just table this as we cannot speak for Franklin Township. Mr. Marciniak said for earned income tax only one-half percent would be credited and it would not be fair to credit part of the firefighters just because they live in Prospect Borough and not to give this credit to the firefighters that live in Franklin Township. Mr. Marciniak said that they are trying to retain volunteer fireman because they are dwindling; it was an incentive to help them out. Mr. Marciniak said that we should send a letter to the state representative and let them know we would be in favor of doing this but cannot afford a paid Fire Department. Per Mr. Marciniak, table for now.

PLANNING COMMISSION: Alan Vagasky said that Land Surveyors contacted him that Dressler was splitting his house on a parcel of land and that he thought our engineers should get involved. Per Shawn per KLH's letters they were only to have three trailers and the existing house made into an office by getting an occupancy permit to comply. Mr. Marciniak said we may have to deny him until all this is ironed out. He suggested to send him a letter. Mr. Vagasky suggested any further Planning Committee meetings that involves Dressler issues that Shawn Rosensteel attend.

STORMWATER MANAGEMENT AND STREETS: Mr. Boice said he went around the Borough this weekend, because of the rainfall, and everything looked ok except for a couple puddles.

Mr. Boice said they will be putting in a pipe under Kennedy Road to eliminate the water problems. Mr. Boice said that he went around town with Dick Knapko to determine what streets we need to repair and that we will go in with Franklin Township. Mr. Marciniak said that we are still getting the tar buggy to repair the streets that need tarred. Mr. Marciniak said that Dick Knapko told them that ten (10) different streets should be done but checking them out they are fine. He said if they do not need it why spend it. Mr. Marciniak said that we will be doing Bear Creek Road and will let Franklin Township know. Mayor Butler asked about Harmon Lane. Mr. Boice said that per the court house the Borough does not own this road. Mr. Boice said the Borough does have the right-a-ways for the sewer line; this was done in 1985, and we have been taking care of this road. Mr. Boice made motion to have Bear Creek Road repaired and to be included in Franklin Townships bid; Mr. Gitzen 2nd. Motion carried. Ms. Marzullo to let Dick Knapko and Franklin Township know of our decision.

Mr. Boice said that we have not received a quote yet from GIS Mapping for stormwater.

BUILDING & GROUNDS/MAINTENANCE & FACILITY: Mr. Boice said they will be getting the tar buggy. He said that we have some repair work to do around some of the windows.

PERSONNEL: Mr. Green had nothing to report.

MAYOR: Mayor Butler wanted to thank Higgy and George for putting up the Spring Banners on the 1st day of Spring.



Higgy and George!!

POLICE: See Police Report. Mayor Butler said the number of hours were light this month due to work schedule conflicts. Rachel Sporrer is to get her psych evaluation this month, once done this report will be sent into the state.

Mayor Butler said that after reviewing the Mutual Aid Agreement that his opinion was not to get involved in this as it was basically “beyond our scope”.

SEWAGE: Mr. Green made motion to have the generators topped off with diesel fuel at the Wilson Pump Station and the EQ Tank; Mr. Hilliard 2nd. Motion carried.

Mr. Green said that we have a crack on the right-side base at the McNaughton Pump Station. We had a left side base but need a right-side base. Mr. Green made motion to purchase a right-side base for \$600 at the McNaughton Pump Station; Mr. Hilliard 2nd. Motion carried. Mr. Green said that WT Spaeder and Groundwater Resources will repair the McNaughton Pump Station at a combined effort. It will take around ten (10) hours to repair at a cost of \$2,100.00, cost of

\$1,350.00 for safety equipment and \$100.00 to pump it down. Mr. Green made motion to repair the Pump Station at a cost of \$4,150.00; Mr. Gitzen 2nd. Motion carried.

Mr. Rosensteel said that the Vaughan Chopper is available for us to use at the Wilson Pump Station but with the current power configuration at the pump station, upgrades to the service would be required; not a feasible option.

Mr. Rosensteel said after the installation of the new panel at the McNaughton Pump Station was complete, a capacitor in the new panel was determined to be faulty. The manufacturer was contacted and provided a new capacitor.

We were not granted the Water and Sewer Grant. 140 communities received the Grant and 500 did not.

KLH and John Tovcimak of DCNR have had preliminary discussions regarding the requirements of an evaluation. They are to meet April 6th to discuss the DCNR's requirements. Once Mr. Rosensteel gets the detailed information he will know the costs and how this will impact the Borough before processing.

Chapter 94 is complete and was submitted to the Borough and DEP.

Mr. Marciniak said that other than filing sewage liens we can file charges and that is why some of the large liens were paid. He said we are one-half of what we were at last year.

OLD BUSINESS: Mr. Menchyk said that they will have another meeting April 7th at 6PM to go over the Codification.

Solicitor Menchyk said he did attend the webinar for the Flood Plain Ordinance and this is moving forward.

Mr. Boice made motion to charge a Man Camp Permit Fee of \$500 per unit/pad; no 2nd motion was made. Motion dead. Mr. Hilliard made motion to charge a Man Camp Permit Fee of \$1,000 per unit/pad; Mr. Gitzen 2nd. Mr. Boice said "No". Roll call: Ms. Harmon, yes; Mr. Hilliard, yes; Mr. Gitzen, yes; Mr. Green, yes; Mr. Boice, no; and chair, yes. Motion carried.

Solicitor Menchyk said that Mark West submitted a one-half page letter agreement that was inadequate; to discuss further in executive session.

Solicitor Menchyk said that he had all the completed drawings for the Monroe Street Right-A-Ways and ready to submit easements to the residents. Mr. Rosensteel said that the twenty (20) feet extends on the left side, removal of trees. He said that the map would show it. Mr. Boice made motion to have Solicitor Menchyk to send the Right-A-Way Agreements for \$1.00 to the Monroe Street residents; Mr. Gitzen 2nd. Motion carried.

NEW BUSINESS: Mr. Marciniak asked what the Council thoughts were for the Prospect Borough Clean-Up Days. Ms. Harmon said we should not have it as we could save \$1,800.00. She said that the all residents are responsible to have garbage pickup. Mr. Boice made motion to have Prospect Borough Clean-Up Days on May 12th 9AM-6PM and May 13th 9AM-Noon as long as we show no electronics on ad; Mr. Hilliard 2nd. Motion carried.

Mr. Hilliard made motion to print the Spring Prospector from Minuteman Press; Mr. Green 2nd. Motion carried. Mr. Boice would like to have our landmark pictures put in; Brain property and the Old Feed Mill. Ms. Marzullo said that they would look better on the Web page as the Prospector is in black and white.

Mr. Marciniak made motion to put \$5,000 in a CD for 2017 for the truck fund; Mr. Boice 2nd. Ms. Harmon said "No". Roll call: Ms. Harmon, no; Mr. Hilliard, yes; Mr. Gitzen, yes; Mr. Green, yes; Mr. Boice, yes; and chair, yes. Motion carried. Ms. Harmon said we could earmark it, not a good idea to put in a CD and we should keep this money in our own account.

EXECUTIVE SESSION: 8:25PM ~ Legal Matters

RESUMED: 8:50PM

Mr. Boice made motion to allow Solicitor Menchyk draw up the Real Estate Agreement for Mark West; Ms. Harmon 2nd. Motion carried.

Mr. Hilliard made motion for Ms. Marzullo send a registered letter to Kenneth Hogue to see what his intentions are and the time line on his moving his business; Mr. Gitzen 2nd. Motion carried.

Mr. Gitzen made motion to have Solicitor Menchyk send a letter to Jake Dressler that he does not have permission to continue work, not complying with KLH's 1st and 2nd letter and ask what his intentions are; Mr. Hilliard 2nd. Motion carried.

PAY BILLS: Motion made by Mr. Hilliard to pay the General Fund Bills for \$6,956.67 plus \$268.75 for Judy's Bond; Mr. Gitzen 2nd. Motion carried.

Motion made by Mr. Green pay the Sewage Fund Bills for \$28,281.30; Mr. Hilliard 2nd. Motion carried.

Motion made by Mr. Boice pay the Highway Aid Fund Bills for \$212.20; Mr. Hilliard 2nd. Motion carried.

Round Table:

Mr. Boice Has some Griffin papers at home, will bring them in to see if need to keep.
Mr. Green No additional comments.
Ms. Marzullo Happy Birthday Bob!



Mr. Menchyk No additional comments.
Mr. Gitzen No additional comments.
Mr. Hilliard No additional comments.
Ms. Harmon No additional comments.
Mayor Butler No additional comments.
Officer Tatton No additional comments.
Mr. Marciniak No additional comments.

ADJOURN: 8:58PM. No further business at hand, motion made by Mr. Hilliard to adjourn; Mr. Gitzen 2nd.