
Minutes of the Borough Council Zelienople, PA

6/9/2020

7:30 PM Council-Regular

MasterID:

672

The June 8, 2020 Council Meeting of the Zelienople Borough Council was called to order at 7:30 PM by Council President Allen Bayer. This meeting was held remotely through the WebEx Technology to comply with the Governors order to not hold public meetings in person due to the COVID 19 Emergency. It still complied with all rules of advertisement and the public had access to the meeting and was able to participate. In attendance were Council members, Vice-President Andrew Mathew III, Marietta Reeb, Gregg Semel, Doug Foyle, Mary Hess, Ralph Geis and Mayor Thomas Oliverio.

Borough Manager Donald Pepe, Solicitor Bonnie Brimmeier, Police Chief James Miller, Zoning & Codes Officer Shelly Kaltenbaugh, Parks and Recreation Director Joan Wolfe, Executive Assistant/Systems Administrator Cindy Edwards, and Borough Engineer Tom Thompson were also present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Donald Pepe

VISITORS

Jason Eisenreich

Jason Eisenreich spoke on behalf of the Kaufman Tavern regarding a request for outdoor seating at various locations around the Kaufman House building.

CONSENT AGENDA:

A motion was made by Mr. Semel, second by Mrs. Hess to approve:

- Minutes of the May 11, 2020 Council meeting
- Transfer of funds, \$150,000 from the Electric Fund to the General Fund if needed

Motion carried 7-0.

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OLD BUSINESS:

AUTHORIZATION TO AWARD BIDS FOR CONTRACT 20-01- OVERHEAD ELECTRICAL WORK PHASE II AND CONTRACT 20-02- UNDERGROUND ELECTRICAL WORK PHASE II FOR THE MAIN STREET STREETScape PROJECT

Bids were received and opened, as advertised, for Contract 20-01 Overhead Electrical Work, Phase II and Contract 20-02, Underground Electric Work, Phase II. A tally of the bids received for each Contract is listed below:

Contract 20-01: (Overhead Electric Work - Phase II)

(Includes: Base Bid ; Alternate Bid #1 is to eliminate open wires in the secondary lines; Alternate Bid #2 is to extend the feeder lines and tie the East & West circuits)

BIDDER	BASE BID	ALT. #1	ALT. #2
Main Lite Electric Co.	\$301,000.00	\$ 5,200.00	\$135,000.00
Slater Electric & Sons	\$314,500.00	\$12,900.00	\$136,000.00
TSB Inc.dba/ Schultheis Electric	\$279,670.00	\$23,675.00	\$158,289.00

All bids were accompanied by the appropriate bid security.

Contract 20-02: (Underground Electric Work - Phase II)

BIDDER	BASE BID
M & B Services, LLC.	\$259,755.75
TSB Inc.dba/ Schultheis Electric	\$422,575.00

All bids were accompanied by the appropriate bid security.

A motion was made by Mr. Mathew, seconded by Mrs. Hess to award contract 20-01 (Overhead

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Electric - Phase II) including the Base Bid, alternate #1 and alternate #2 to Main Lite Electric Company, Inc. for a total bid amount of \$441,200 (Base bid of \$301,000 plus Alternate No. 1 of \$5,200 plus Alternate No. 2 of \$135,000) and award contract 20-02 (Underground Electric Work - Phase II) to M and B Services, LLC for a base bid amount of \$259,755.75.

Motion carried 7-0

CONSIDER AUTHORIZING THE RE-SCHEDULING AND ADVERTISING OF A PUBLIC HEARING FOR CONDITIONAL USE APPLICATION 2020-1-CU JEREMIAH VILLAGE/GLADE RUN SERVICES FOR JUNE 29, 2020 AT 6:30 PM

This Conditional Use hearing had previously been scheduled by Council but due to the Governor's Emergency Declaration regarding COVID 19, it was not held. A motion was made by Mr. Mathew, seconded by Mr. Geis to authorize the Borough Manager to advertise a public hearing for Conditional Use for Application 2020-1-CU Jeremiah Village/Glade Run Services for Monday, June 29, 2020 at 6:30 PM. Following discussion, the motion and second were amended by Mr. Mathew and Mr. Geis. The date was amended to July 13, 2020 at 6:30 PM, prior to the regular council meeting at 7:30 PM.

Amended motion carried 7-0

CONSIDER AFFIRMING MAY 22, 2020 EMAIL APPROVAL FOR OUTDOOR SEATING FOR RESTAURANT AND PROVISION OF USE OF PARKING LOTS AND TENTS FOR THIS PURPOSE.

A motion was made by Mr. Semel, seconded by Mrs. Hess to affirm that of the original email vote of May 22, 2020 for outdoor seating in front of the individual shops with the following conditions: all tables and signs are to be brought in at night, all businesses agree to be ADA compliant, all businesses agree to follow the Department of Health guidelines and Department of Agriculture guidelines, and the request will be effective until November 1, 2020.

Motion carried 7-0.

A motion was made by Mrs. Hess, seconded by Mr. Semel to approve the request from ZABA for the use of outdoor seating at the Spring Street lot, private Kaufman House lot, and Four Corners lot, with the following conditions:

1. A written agreement from Pat Boylan as a condition of approval for its use and an insurance policy to cover the area for the time the space is utilized.

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2. The use of 8 parking spaces at the Kaufman House parking lot.
3. Provide some sort of barrier to block off a portion of the lots for seating to protect patrons from cars, etc.
4. The Borough transfers \$3,600 from other events not taking place and for the Borough Manger to find an additional \$800 to fund the full \$4,400 for the tent rental, if needed.

Motion carried 7-0

NEW BUSINESS:

CONSIDER AUTHORIZATION OF THE BILLS TO BE PAID FOR MONTH OF JUNE 2020 IN THE AMOUNT OF \$ 570,253.33.

A motion was made by Mrs. Reeb, seconded by Mr. Geis to pay the June 2020 bills in the amount of \$ 570,253.33.

Motion carried 7-0

CONSIDER WATER SERVICE AND SERVICE LINE ABANDONMENT AT 524 PERRY WAY

A motion was made by Mr. Geis, seconded by Mr. Semel to execute the agreement to abandon the water service and service line at 524 Perry Way as requested by property owner Donald Tritt.

Motion carried 7-0

CONSIDER APPROVAL OF REQUEST FOR OUTDOOR SEATING AND SERVICE FOR THE KAUFMAN TAVERN RESTAURANT

A motion was made by Mrs. Hess, seconded by Mrs. Reeb to approve Jason Eisenreich's, owner of the Kaufman Tavern, request to allow outdoor seating and service at various locations around the Kaufman House building until November 15, 2020 (weather permitting) and must be renewed in each calendar year with the condition that all necessary borough and PLCB rules and regulations are maintained yearly and must maintain the following rules and regulations:

- 1) The Borough is to provide a concrete pad which should be the primary area for the Kaufman Tavern's outside seating and service. The actual seating areas used can be agreed to with borough staff to best facilitate the area for use.
- 2) There will be a 10:00 pm limit to outdoor seating and service.

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- 3) The Borough will provide some sort of barrier, at Borough expense, such as bollards, or something similar, in the area adjacent to the parking lot to protect diners in the event of an accident of a vehicle.
- 4) All pedestrian walkway access must be maintained at the required levels and distances especially handicapped six (6) foot criteria. This can also be worked out on site with borough staff.
- 5) The areas and walkways must be kept clean daily. Given the nature of the walkway stones, all cleaning agents used and how to use them must be consulted with Borough Staff. Reason is that the walkway stones seals are porous, and all rainwater and drainage is channeled through them into the stormwater sewer system.
- 6) A letter of agreement with Maddalon Jewelers.
- 7) All necessary insurance with the Borough as additional insured.
- 8) Additional lighting can be hung, at the Kaufman Tavern expense, for aesthetic purposes and must conform with regulations regarding location and height. Borough staff will assist in where this lighting may be strung in this outdoor area.

Motion carried 7-0.

CONSIDER REQUEST TO CLOSE DIVISION STREET FROM BEAVER STREET TO SPRING STREET FOR THE FIRST BLOCK PARTY ON JULY 19, 2020

A motion was made by Mrs. Reeb and seconded by Mr. Mathew, to approve the request from Paul Cooper of 219 S. Division Street to close Division Street from Beaver Street to Spring Street from 4pm to 9pm on July 19, 2020 for a neighborhood block party. This is not a Borough sanctioned or sponsored event and they are solely responsible to adhere to all COVID-19 safety rules that apply at the time of the event.

Motion carried 7-0.

CONSIDER CURB CUT AND DRIVEWAY APRON REQUEST FOR 101 HAZEL STREET

A motion was made by Mr. Geis, seconded by Mr. Semel to approve the request from Eileen Pauley for a driveway, curb cut, and apron installation at 101 Hazel Street. The cost will be borne by the property owner.

Motion carried 7-0.

CONSIDER PAY ESTIMATE P16 CONSTRUCTION CONTRACT FOR THE ZELIENOPLE BOROUGH REVITALIZATION STREETScape- ECMS PROJECT

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A motion was made by Mr. Mathew and seconded by Mrs. Hess to approve M and B Services, LLC ECMS Estimate No. P16 in the amount of \$7,135.10. Payment from PennDOT will be in the amount of \$2,317.07 to reflect the credit amount (\$4,818.03) from Estimate No. P15.

Motion carried 7-0.

CONSIDER AUTHORIZATION TO PREPARE AND ADVERTISE PROPOSED ORDINANCE #871-20 TO ADD STOP SIGNS IN THE BOROUGH

A motion was made by Mr. Mathew, seconded by Mrs. Reeb to approve to prepare and advertise proposed ordinance #871-20 to add two (2) stop signs at Grandview Avenue and Jefferson Street and Grandview Avenue and Green Lane, making both intersections four-way stops.

Motion carried 7-0.

CONSIDER AUTHORIZATION TO PREPARE AND ADVERTISE PROPOSED ORDINANCE #872-20 FOR ONE WAY STREETS IN THE BOROUGH

A motion was made by Mr. Foyle, seconded by Mr. Geis to approve to prepare and advertise proposed ordinance #872-20 to make Jefferson Street one-way traveling southbound between New Castle Street and Beaver Street, prohibiting street parking on this portion of Jefferson Street, and prohibiting parking on Green Lane between Beaver Street and New Castle Street.

Motion carried 7-0.

OTHER BUSINESS:

A motion was made by Mrs. Hess, seconded by Mr. Semel to approve the removal of grass in the islands at the Town Center parking lot.

Motion carried 7-0.

Council wants the June 29, 2020 council meeting to be an in person meeting.

REPORTS:

None

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Councilman Semel requested a brief Executive Session on a personnel matter.

The meeting was recessed at 8:40 PM.

Council went into executive session at 8:41 PM and returned at 8:48 PM.

Being no further business, President Bayer closed the meeting at 8:48 PM.

ATTEST:

Borough Manager

Council President

Approved by me this _____ day of _____, 2020.

Mayor