
Minutes of the Borough Council Zelienople, PA

6/13/2022

7:30 PM Council-Regular

MasterID:

723

The June 13, 2022, Council Meeting of the Zelienople Borough Council was called to order at 7:30 PM by Council Vice President Andrew Mathew, III in the Council Chambers located at 111 W New Castle St., Zelienople PA 16063. This meeting was held in an in-person environment as well as remotely through the WebEx technology due to the coronavirus pandemic situation and to comply with the safety of all concerned. It still complied with all rules of advertisement and the public had access to the meeting and was able to participate. In-person attendance were Andrew Mathew III, Allen Bayer, Doug Foyle, Ralph Geis, Marietta Reeb, and Mayor Thomas Oliverio. Council Members Mary Hess and Gregg Semel were not in attendance.

Also, in attendance were Borough Manager Donald Pepe, Police Chief James Miller, Borough Engineer Thomas Thompson, and Borough Solicitor Bonnie Brimmeier. Public Works Director Chad Garland attended remotely.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Allen Bayer.

VISITORS:

In Person: Robert Oberley, Rebecca Neely, Tony Corridoni, Tony Cooper, Aimee Anderson, and Mark Gerson

Remotely: Alex Weidenhof

PUBLIC COMMENT:

Robert Oberley requested information on obtaining permit for selling snow cones at the park

Rebecca Neely expressed difficulty with finding on street parking on Clay Street

Aimee Anderson also expressed difficulty finding parking on Clay Street

Tony Copper had questions pertaining to the inspection ordinance.

Mark Gerson had additional questions pertaining to the inspection ordinance.

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CONSENT AGENDA:

A motion was made by Mr. Geis, seconded by Mrs. Reeb, to approve:

- Minutes of the May 9, 2022, Council Meeting.
- Transfer of Funds, \$150,000 from the Electric Fund to the General Fund, if needed.

Motion carried 5-0.

OLD BUSINESS:

CONSIDER AFFIRMATION OF SPECIAL EVENT PERMIT APPLICATION – ZELIENOPLE/HARMONY FARMERS MARKET

A motion was made by Mrs. Reeb, seconded by Mr. Geis to affirm the email vote of May 17, 2022 and May 18, 2022 to approve of the Special Event Permit Application – Zelienople/Harmony Farmers Market provided that the responsible party noted in the application coordinate communications with and be responsive to the Parks & Recreation Director, Chief of Police and Public Works Director as needed and comply with the Borough of Zelienople's Special Event Rules, Code of Ordinances Chapter 174, Special Events and Alcoholic Beverages, Parades & Public Gatherings & all applicable Federal, State, and Local laws.

The Farmer's Market has been located at the Community Park for the last few years. This year the process is slightly different due to Borough requirements for rental of the facility. The sponsor is requesting the Community Park parking lot area for set up of this event. It would be every Monday from June 6, 2022 through October 31, 2022 except for July 4, 2022 and September 5, 2022 which are holidays. The time would be 3:30 pm to 7:00 pm, with set up at 2:30 pm.

The individual vendors are instructed to supply the required certificate of insurance to use borough property. The sponsor is responsible to collect and submit these insurance documents to the borough.

If there is an Alcohol vendor, they will need to follow the requirements as outlined by ordinance and enforced by the Zelienople Police Department.

The request includes the following conditions:

- It is their responsibility to coordinate the event with the Borough Parks & Recreation Department, Street Department, and all Emergency Services for logistical and safety concerns.
- Responsible party is liable for the return of any Borough owned cones, barricades, signs, etc. and must sign a release form for the use of such borough owned property.
- Be responsive to complaints on noise.
- Must ensure that the area is cleaned of any trash and debris when the event is completed.
- A Certificate of Insurance must be provided indicating the Borough of Zelienople as an additional insured. (as noted above)

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- Ensure that measures will be taken to establish proof of legal age prior to any individual being permitted to consume alcoholic beverages. (as noted above)
- All participating vendors must obtain a special occasion permit from the PLCB, if required.
- This is not a Borough sponsored event.

Council has approved this item on May 17, 2022 and May 18, 20212 via email unanimously. For the record, the first (Mr. Bayer) and second (Mr. Foyle) person to respond were used as making the motion and seconding it.

Motion carried 5-0.

CONSIDER RESCHEDULE DATE FOR APPROVED SPECIAL EVENT PERMIT APPLICATION – ZELIENOPLE BED BUG RACE

A motion was made by Mr. Foyle, seconded by Mrs. Reeb to approve the rescheduled date for the Zelienople Bed Bug Race to August 13, 2022 due to anticipated low event participation and to change the event name to Bed Race Derby.

The Special Event Permit Application for the Zelienople Bed Bug Race was approved at the February 28, 2022 council meeting and was originally scheduled for June 11, 2022.

Motion carried 5-0.

NEW BUSINESS:

CONSIDER ACCEPTANCE OF THE BILLS TO BE PAID FOR THE MONTH OF JUNE IN THE AMOUNT OF \$642,631.11

A motion was made by Mr. Geis, seconded by Mr. Foyle to accept, and approve the “Bills to Be Paid” report for June in the amount of \$642,631.11.

Motion carried 5-0.

CONSIDER LAND LEASE AGREEMENT BETWEEN THE SENECA VALLEY SCHOOL DISTRICT AND THE BOROUGH OF ZELIENOPLE

A motion was made by Mr. Geis, seconded by Mrs. Reeb to approve a Land Lease agreement between the Seneca Valley School District and the Borough of Zelienople for the use of the land owned by the school district and currently, and into the foreseeable future, being used as part of the Zelienople Community Park.

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For many years dating back to the early 1960's, a significant part of the land that is the Community Park has been used for park activities through an agreement between Zelienople Borough and the School District that existed at the time. We have been working to update this agreement since the terms of the original agreement had expired some time ago.

After significant discussion and legal preparation, the following document has been provided to us by the Seneca valley School District which they have approved. This document has been reviewed in detail by the Borough Manager and the Borough Solicitor and is ready to come to council for your approval as well.

This agreement sets out the terms of the lease agreement and all the necessary details required to maintain this property well into the future for Parks and Recreation use.

Motion carried 5-0.

CONSIDER AGREEMENT BETWEEN THE SENECA VALLEY SCHOOL DISTRICT, THE SENECA VALLEY NORTH ATHLETIC ASSOCIATION AND THE BOROUGH OF ZELIENOPLE FOR SCOREBOARDS INSTALLATION.

A motion was made by Mr. Reeb, seconded by Mr. Foyle to approve an agreement between the Seneca Valley School District, the Borough of Zelienople, and the Seneca Valley North Athletic Association to erect and maintain two scoreboards on fields leased to the borough as part of the Zelienople Community Park.

Given the land lease agreement exists between the Seneca Valley School District (SVSD) and the Borough of Zelienople, there needed to be an additional agreement between SVSD, the borough and the Seneca Valley North Athletic Association (SVNAA) for SVNAA to install two scoreboards on fields that are technically owned by SVSD and leased to the borough for use as the Zelienople Community Park.

This simple agreement has been reviewed by the Borough Solicitor and the Borough Manager, which outlines the terms for the installation and the ongoing maintenance responsibilities of the SVNAA.

Motion carried 5-0.

CONSIDER PARKING LOT AGREEMENT BETWEEN THE ENGLISH EVANGELICAL LUTHERAN CHURCH AND THE BOROUGH OF ZELIENOPLE

A motion was made by Mr. Foyle, seconded by Mr. Bayer to approve an agreement between the English Evangelical Lutheran Church and the Borough of Zelienople for the use of the church parking lot for public use as set forth in the five (5) year agreement.

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With the success of business development in the main Street corridor, parking has become an issue. Even with the three municipal lots there are times when available parking is at a premium. The borough has been in negotiation with various entities to consider the use of their parking lots for public use at various times during the week.

We have an agreement with the English Evangelical Lutheran church to use their lot and provide them some maintenance assistance as well as signage. This five (5) year agreement has been reviewed and approved by the Church.

Motion carried 5-0.

CONSIDER PROPERTY AND MANAGEMENT AGREEMENT BETWEEN THE COMMUNITY PARK ASSOCIATION AND THE BOROUGH OF ZELIENOPLE

A motion was made by Mrs. Reeb, seconded by Mr. Foyle to approve the Property and Management agreement between the Community Park Association and the Borough of Zelienople for the community park facilities and recreation activities.

The Borough and the Community Park Association (CPA) has had a very long history of working together dating back to the early 1960's. In May of 2004, the relationship became closer when the Borough and the CPA entered into a formal agreement where the borough became more involved in recreation activities and assumed the ownership of the park property while the CPA retained management of park and recreation activities.

In 2021, the council commissioned a study to determine the best course of action for the Borough and the CPA going forward to manage all park and recreation activities and the study strongly endorsed the borough taking over all the park and recreation responsibilities from the volunteer CPA board. In January 2022, the borough budget was approved assuming all Parks and Recreation responsibilities and the CPA became an advisory body to the borough for park and recreation activities.

The 2004, management agreement needed to be updated to formalize in a legal document all the needed changes and roles that now exist. The agreement reflects these changes.

A Bill of Sale is needed to formally transfer all property to the borough. An Asset report noting the property involved was provided. Funding and monetary assets have already been identified and transferred to the borough as of April 1, 2022.

Motion carried 5-0.

CONSIDER SPECIAL EVENT PERMIT APPLICATION – EXPLORE ZELIE 2022 ZELIENOPLE PUTT N POUR

A motion was made by Mr. Foyle, seconded by Mr. Geis to approve the Special Event Permit Application – 2022 Zelienople Putt N Pour to be held on August 20, 2022, from 1:00 PM to 5:00 PM

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on Main Street sidewalks throughout downtown Zelienople provided that the responsible party noted in the application coordinate communications with and be responsive to the Chief of Police and Public Works Director as needed and comply with the Borough of Zelienople's Special Event Rules, Code of Ordinances Chapter 174, Special Events and Alcoholic Beverages, Parades & Public Gatherings & all applicable Federal, State, and Local laws.

They are requesting that a small pop-up tent to be placed at the Kaufman House/Citizen Drive Thru lot where the event check-in will take place.

The request includes the following conditions:

- It is their responsibility to coordinate the event with the Police Department and the Borough Public Works Department no later than Monday prior to the event.
- Must ensure that the area is cleaned of any trash and debris when the event is completed.
- A Certificate of Insurance must be provided indicating the Borough of Zelienople as an additional insured and provided at least a week in advance of the event.
- This is not a Borough sponsored event.

Motion carried 5-0.

CONSIDER SPECIAL EVENT PERMIT APPLICATION – ALZHEIMER'S CORNHOLE TOURNAMENT FUNDRAISER

A motion was made by Mr. Reeb, seconded by Mr. Foyle to approve the Special Event Permit Application – Alzheimer's Cornhole Tournament Fundraiser for a senior project to be held on August 6, 2022, from 11:00 AM to 3:00 PM at the Zelienople Community Park Tennis Courts provided that the responsible party noted in the application coordinate communications with and be responsive to the Parks & Recreation Director and comply with the Borough of Zelienople's Special Event Rules, Code of Ordinances Chapter 174, Special Events and Alcoholic Beverages, Parades & Public Gatherings & all applicable Federal, State, and Local laws.

The request includes the following conditions:

- It is their responsibility to coordinate the event with the Borough Parks & Recreation Department prior to the event.
- Must ensure that the area is cleaned of any trash and debris when the event is completed.
- A Certificate of Insurance must be provided indicating the Borough of Zelienople as an additional insured and provided at least a week in advance of the event.
- This is not a Borough sponsored event.

Motion carried 5-0.

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CONSIDER DISCUSSION CONCERNING A POSSIBLE ZELIENOPLE ROUTE 68 BYPASS

The Main Street (Route 19) corridor is a high-density traffic area and the intersection of Main Street (Route 19), and Beaver Street (Route 68) can become a major concern as well since Route 68 is heavily used. For this reason, a bypass in this area has been a topic for discussion.

With that in mind, our borough engineer has proposed two possible bypass options that will need further study, council approval to proceed and a planning for funding. The concept was presented to all members of council on May 5, 2022 in an electronic format as an introduction to this possible project. After having a preliminary review of the concept, it was on the agenda this meeting for the opportunity to answer questions, get clarification, seek additional information, and seek authorization to proceed with the concept for further review and funding options. It is not ready for council approval by any means, but it is ready with additional planning if council wishes to authorize staff to do so.

The summary portion of the study and the full study is available electronically. The next step is to talk to effected property owners and any other necessary stakeholders in any possible project.

Further planning and funding options will be disused at the next strategic planning meeting.

No action was taken.

CONSIDERATION FOR REQUESTING AN ARLE GRANT FOR THE PEDESTRIAN IMPROVEMENTS

A motion was made by Mrs. Reeb, seconded by Mr. Foyle to approve pursuing a ARLE grant application.

With increased pedestrian traffic it is important to provide for safe access throughout the Borough. Two areas of concern are the Main Street/Spring Street Intersection and the St. Gregory School access on Beaver Street. We can apply for Automated Red-Light Enforcement (ARLE) grant for these safety improvements. There is no specified grant match for this program. The grant application deadline is June 30, 2022.

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The ped crossing on Main Street is estimated at \$110,000 and the St. Gregory's, School safety lighting is estimated at \$50,000.

Construction \$160,000
contingency (5%) - \$8,000
admin/legal (2%) - \$3,200
engineering (10%) - \$16,000
Grant total \$187,200

Motion carried 5-0.

CONSIDER ADOPTION OF RESOLUTION #471-22 – DCED MULTIMODAL PROGRAM GRANT

A motion was made by Mr. Geis, seconded by Mrs. Reeb to approve the enactment of Resolution #471-22 and to apply for a Multimodal Program grant to address Phase 4 of the Streetscape project from the end of Phase 2 to the proposed Harmony District Fire Department Site. The grant agency requires a resolution to designate the officials to execute all documents and agreements.

A full and true copy of Resolution #471-22 can be found in the Resolution Book.


Borough Manager

Motion carried 5-0.

OTHER BUSINESS:

Chief Miller requested an executive session on a police matter.

Time of break: 8:35 pm; Return: 8:40 pm

Executive Session Time: 8:40 pm; Return: 8:50 pm

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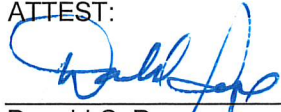
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Being no further business, Vice President Mathew closed the meeting at 8:51 PM.

ATTEST:



Donald C. Pepe
Borough Manager



Andrew Mathew, III
Council Vice President

Approved by me this 27th day of June 2022.



Thomas M. Oliverio
Mayor