
Minutes of the Borough Council Zelienople, PA

7/11/2022

7:30 PM Council-Regular

MasterID:

725

The July 11, 2022, Council Meeting of the Zelienople Borough Council was called to order at 7:29 PM by Council President Mary Hess 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 Council Members Mary Hess, Andrew Mathew III, Doug Foyle, Marietta Reeb, and Mayor Thomas Oliverio. Allen Bayer Ralph Geis, Gregg Semel attended remotely.

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

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Donald Pepe

VISITORS:

In Person: James Hulings, Cindy Mellenthin, Al Mellenthin, Jerry Maharg, Jan Maharg, Mike Sosak, Carol Sosak, Marsha Grabowski, Aimiee Anderson, Dayna Walkolitz, Shannon Mick, Stephen Mick, Dan Fritch, Kristen Hogan, Daniel Karns, Donna Statzer, Lesa Gallagher, Merrick Marreweck, Christine Patton.

Remotely: KJ, Jeff and Terry Slike, Sam Hopkins, Marla, Brian Beighey, Chrstine Statzer, Jeff Peters

PUBLIC COMMENT:

Public comment centered around the following:

- WBCA Act 537 plan submission and council action
- Parking issues along Clay Street and request for council action
- Request that the Grandview Avenue Crosswalks need to be repainted.

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CONSENT AGENDA:

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

- Minutes of the June 27, 2022, Council Meeting.
- Transfer of Funds, \$150,000 from the Electric Fund to the General Fund, if needed.

Motion carried 7-0.

OLD BUSINESS:


CONSIDERATION FOR APPROVING PROPOSED RESOLUTION #472-22 ACT 537 PLAN WESTERN BUTLER COUNTY AUTHORITY SEWAGE FACILITIES PLANT UPDATE

This item was tabled at the June 27, 2022 meeting. For action at the July 11, 2022 meeting.

A motion was made by Mr. Mathew, seconded by Mr. Foyle to adopt proposed Resolution #472-22 to adopt the Western Butler County Authority 537 Plan Sewage Facilities plan update.

WBCA has prepared an Act 537 Plan for an upgrade to the sewage collection and treatment facilities for the sewage treatment plant. These improvements consist of construction of new facilities on the current site of Western Butler County Authority. A steering committee was formed from representation from Zelienople, Harmony, Jackson, and Lancaster, to review the plan with an independent consulting engineer (Larson Design Group) to determine if: 1.) the presented upgrade plan from WBCA was required, 2.) if the appropriate biological process was chosen, and 3.) if the authority is and can remain financially viable under these improvements. The steering committee has met and gone through these items to reach agreement to move forward on the updated Act 537 Plan. WBCA will submit the official plan to DEP for their approvals.

A full and true copy of Resolution #472-22 can be found in the Resolution Book.



Borough Manager

Motion carried 7-0.

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NEW BUSINESS:

CONSIDER ACCEPTANCE OF THE BILLS TO BE PAID FOR THE MONTH OF JULY IN THE AMOUNT OF \$690,453.95

A motion was made by Mrs. Reeb, seconded by Mr. Geis to accept, and approve the "Bills to Be Paid" report for May in the amount of \$690,453.95.

Motion carried 7-0.

CONSIDER SPECIAL EVENT PERMIT APPLICATION – THE GATHERING

A motion was made by Mr. Mathew, seconded by Mr. Foyle to approve the Special Event Permit Application – The Gathering to be held on Saturday, September 10, 2022 from 8:00 AM to 5:00 PM at the at the Zelienople Community Park/Amphitheater provided that the responsible party noted in the application coordinate communications with and be responsive to the Parks & Recreation 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 and with 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 7-0.

CONSIDER SPECIAL EVENT PERMIT APPLICATION – FISHER'S BAR ZELIE IDOL AND TEMPORARY USE OF FIVE PARKING SPACES IN THE MUNICIPAL TOWN CENTER LOT

A motion was made by Mrs. Foyle, seconded by Mr. Mathew to approve the Special Event Permit Application – Fisher's Zelig Idol to be held July 14, 2022 through July 16, 2022 and the use of five (5) parking spaces in the Municipal Town Center lot and to have outdoor seating on the sidewalk adjacent to Fisher's 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 and with the following conditions:

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- The spaces must be specifically used are 181-185.
- They must maintain ADA compliance by maintaining a 36" clearance on the sidewalk and the placement and use of tables and chairs cannot interfere with the 36" clearance.
- Be sure not to pound stakes or similar into the parking lot asphalt.
- There must be a sufficient barrier between the area in use and the rest of the parking lot to insure adequate and safe use of vehicles in the lot. This must be acceptable to the borough prior to the event.
- There must be protection on those spaces to avoid it being stained or marked from any cooking oil etc. Any damage may be the responsibility of the person making the request.
- There must be an insurance coverage that makes the borough an additional insured, to protect the borough from any claim for damages.
- All the above must be checked with the borough prior to the day of the event and it will be inspected the day after the event.

Motion carried 7-0.

CONSIDER APPROVAL OF REQUEST FOR OUTDOOR TABLE AND CHAIRS

A motion was made by Mrs. Reeb, seconded by Mr. Mathew to approve the request from the Sips & Sweets business at 133 S Main Street, for permission to place (1) Table & (2) chairs located directly in front of store window for remainder of 2022. All parties have agreed to adhere to the Boroughs requirements by providing a drawing of the layout of table and chairs, provided dimensions of furniture and sidewalk, and displaying the required 36-inch area of sidewalk clearance for handicap accessibility. All table and chairs are to be removed from the sidewalk and placed inside when the business is closed.

Motion carried 7-0.

CONSIDER PAY ESTIMATE 1 TO THE CONSTRUCTION CONTRACT FOR THE LINDEN STREET CULVERT REPLACEMENT PROJECT

A motion was made by Mr. Mathew, seconded by Mrs. Reeb to Steel Nation Environmental, Inc. Pay Estimate No. 1 in the amount of \$62,700.00 for the Linden Street Culvert Replacement Project.

The work has been completed as noted.

Motion carried 7-0.

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CONSIDER ESTIMATE 1 TO THE CONSTRUCTION CONTRACT FOR THE CLAY STREET CURB REPLACEMENT PROJECT

A motion was made by Mr. Foyle, seconded by Mrs. Reeb to approve Santamaria Landscape & Cement Contractors, Inc. Estimate No. 1 in the amount of \$24,958.54 for the Clay Street Curb Replacement Project.

The work has been completed as noted.

Motion carried 7-0.

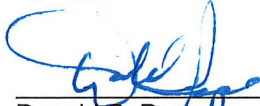
OTHER BUSINESS:

None

Mr. Geis made a comment that perhaps we need to look at the Whitey's business on Main Street and that the outside merchandise may be impeding access to the sidewalk area. Borough Manager Pepe said staff will look into this matter.

Being no further business, President Hess closed the meeting at 8:09 PM.

ATTEST:



Donald C. Pepe
Borough Manager



Mary E. Hess
Council President

Approved by me this 25th day of July 2022.



Thomas M. Oliverio
Mayor