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# *Minutes of the Borough Council Zelienople, PA*

8/8/2022

7:30 PM Council-Regular

MasterID:

727

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The August 8, 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 Council Members Andrew Mathew III, Allen Bayer, Ralph Geis, Doug Foyle, Marietta Reeb, and Mayor Thomas Oliverio. Mary Hess and Gregg Semel were not present.

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

#### PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Allen Bayer

#### VISITORS:

In Person: James Hulings, Jerry Maharg, Jan Maharg, Cindy Mellenthin, Carol Sosak, Mike Sosak, Marsha Grabowski, Steve Grabowski, Tony Comdon, Jeff Peters, Dan Fritch, Dan Fritz, Bob Budny, Avery Flood, and Alecia Flood

Remotely: K Boyd and Christine Patton

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#### PUBLIC COMMENT:

Jerry Maharg referenced the Planning Commission work on the proposed Residential Development Ordinance #883-22

#### CONSENT AGENDA:

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

- Minutes of the July 25, 2022, Council Meeting.
- Transfer of Funds, \$150,000 from the Electric Fund to the General Fund, if needed.

Motion carried 5-0.

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## OLD BUSINESS:

### CONSIDER AUTHORIZATION TO ADVERTISE PROPOSED RESIDENTIAL DEVELOPMENT ORDINANCE #883-22

A motion was made by Mr. Foyle, seconded by Mr. Geis to authorize to advertise Proposed Ordinance #883-22 as recommended by the Planning Commission.

The Proposed Residential Development Ordinance #883-22 is the final product of the Residential Ordinance Committee, which was formed in December 2021, with the purpose to create an ordinance that will be immediately applied to the development of the Glade Run property. On July 28th, The Planning Committee revised (see below) and voted to recommend the proposed draft.

Motion to recommend the proposed Residential Development Ordinance #883-22 with the following changes:

- 2.A.4.a.i. - Increase the percentage of required minimum lots to 40% at 80 feet wide (26 of 65 units)
- 2.A.4.a.iii. - Building line at the driveway should not be less than 25 feet from nearest edge of sidewalk.
- 2.C.4.a.i. - Increase the percentage of required minimum lots to 40% at 80 feet wide (52 of 130)
- 2.D.4.a.i. - Increase the percentage of required minimum lots to 40% at 80 feet wide (56 of 140)
- 3.A. - 50-foot yard is required around the perimeter of the property except as delineated in 3.B. and approved by Borough Council
- 6.C.5 - Include "installed to Manufacturers' standards"

Motion carried 5-0.

## NEW BUSINESS:

### CONSIDER ACCEPTANCE OF THE BILLS TO BE PAID FOR THE MONTH OF AUGUST IN THE AMOUNT OF \$675,708.82

A motion was made by Mr. Geis, seconded by Mrs. Reeb to accept, and approve the "Bills to Be Paid" report for August in the amount of \$675,708.82.

Motion carried 5-0.

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## CONSIDER SPECIAL EVENT PERMIT APPLICATION – TRAVELING VAU FALLEN HEROES MEMORIAL

A motion was made by Mrs. Reeb, seconded by Mr. Foyle to approve the Special Event Permit Application – Traveling VAU Fallen Heroes Memorial to be held July 2, 2023 through July 4, 2023 at the Four Corner Park 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.

Motion carried 5-0.

## CONSIDER SPECIAL EVENT PERMIT APPLICATION – OPEN AIR MARKET DUNK TANK FUNDRAISER FOR HARMONY FIRE DISTRICT

A motion was made by Mr. Geis, seconded by Mr. Foyle to approve the Special Event Permit Application – Open Air Market Dunk Tank Fundraiser for Harmony Fire District to be held during the

Open Air Market on August 25, 2022 from 5:00 PM to 8:30 PM at the corner of the Four Corner Park 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.

Motion carried 5-0.

## CONSIDERATION FOR CHANGE ORDER NO. 1 TO THE 2022 CLAY STREET CURB PROJECT

A motion was made by Mr. Foyle, seconded by Mrs. Reeb to approve Santamaria Landscape & Cement Contractors, Inc. 2022 Clay Street Curb Project Changer Order No. 1, Additional work for the installation of bollards. Estimated costs of \$8,400.00. Funding for this project is available in the 2022 CIP for Curbs.

For the 2022 Clay Street Curb Project additional work can be added to include 2 (two) bollards installed at the Main Street and W. New Castle Street intersection, southwest corner. To prevent further damage to the traffic control mast arm. \$8,400.00. Other contractors have not been found willing to do the work.

Motion carried 5-0.

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## CONSIDERATION FOR CHANGE ORDER NO. 2 TO THE 2022 CLAY STREET CURB PROJECT

A motion was made by Mrs. Reeb, seconded by Mr. Geis to approve Santamaria Landscape & Cement Contractors, Inc. 2022 Clay Street Curb Project Changer Order No. 2, Additional work on Community Park, W. New Castle Street. Estimated costs of \$9,942.00. Funding for this project is available in the 2022 CIP for Curbs.

For the 2022 Clay Street Curb Project additional work can be added to include the driveway access to the Community Park, which is in disrepair and has become a tripping hazard. Also included in the change order would be two additional concrete pads on W. New Castle Street; bench at the Municipal Bld. and concrete fill of the mowing strip that has become a trip and fall hazard near the parking lot. \$9,942.00. This is an extension of additional concrete work while the contractor is on site.

Motion carried 5-0.

## CONSIDER PAY ESTIMATE 2 TO THE CONSTRUCTION CONTRACT FOR THE LINDEN STREET CULVERT REPLACEMENT PROJECT

A motion was made by Mr. Foyle, seconded by Mr. Geis to approve Steel Nation Environmental, Inc. Pay Estimate No. 2 in the amount of \$26,100.00 for the Linden Street Culvert Replacement Project.

The work has been completed as noted.

Motion carried 5-0.

## CONSIDER PAY ESTIMATE 2 TO THE CONSTRUCTION CONTRACT FOR THE CLAY STREET CURB REPLACEMENT PROJECT

A motion was made by Mrs. Reeb, seconded by Mr. Geis to approve Santamaria Landscape & Cement Contractors, Inc. Pay Estimate No. 2 in the amount of \$46,164.13 for the Clay Street Curb Replacement Project.

The work has been completed as noted.

Motion carried 5-0.

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## CONSIDER PROPOSED RESOLUTION #475-22 TO SUPPORT THE APPLICATION OF A GRANT TO THE "BUTLER COUNTY MUNICIPAL INFRASTRUCTURE PROGRAM" FOR A MULTI- MUNICIPAL STUDY OF CURRENT AND EMERGING COSTS RELATED TO STORMWATER MANAGEMENT

A motion was made by Mr. Geis, seconded by Mr. Foyle to adopt Proposed Resolution #475-22 to support the multi- municipal grant application to Butler County to study current and emerging costs relating to Stormwater Management in this 4-municipality regional area.

The Borough of Zelienople has been an integral part of the Lower Connoquenessing Regional Stormwater Steering group which has been working to improve stormwater management in the region and help protect these member municipalities from catastrophic flooding situations.

As part of this municipal collaboration, there is a subset of the overall group, consisting of Zelienople, Harmony and Evans City Boroughs and Jackson Township, discussing a local stormwater study to determine current and future costs related to Stormwater Management in this 4 municipal region. There will be a grant submission to Butler County to fund this study on behalf of participating municipalities.

Proposed Resolution # 475-22 is in support of this regional effort and encourages the Butler County Commissioners to consider funding this project.

A full and true copy of Resolution #475-22 can be found in the Resolution Book.

  
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Borough Manager

Motion carried 5-0.

## CONSIDER PROPOSED RESOLUTION #476-22 TO AUTHORIZE THE SUBMISSION OF MUNICIPAL GRANT APPLICATIONS TO BUTLER COUNTY INFRASTRUCTURE PROGRAM FOR REGIONAL STORMWATER PROJECTS

A motion was made by Mrs. Reeb, seconded by Mr. Foyle to adopt Proposed Resolution #476-22 authorizing the Butler County Infrastructure Program grant applications.

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Butler County has opened a Municipal Infrastructure Program to fund water, stormwater, sanitary, and broadband projects under their American Rescue Plan Act (ARPA) funds. There is no specified grant match for this program. The grant application deadline is August 31, 2022. Contracts for construction will need executed by December 31, 2024, and all construction work shall be completed by December 31, 2026.

Anticipated projects that the staff is proposing to apply for:

- Market Street waterline replacement – this is the project we applied for a CFA grant for design and construction
- Match of Beaver Street/High Street stormwater CFA grant
- Stream bank study (from the park to Main Street)
- Sportsman Club property/Connoquenessing Creek Flooding area
- Adding broadband at the park
- Storm sewer from Culvert Street to Fire Department (potential match for maintenance building)

A full and true copy of Resolution #476-22 can be found in the Resolution Book.



Borough Manager

Motion carried 5-0.

CONSIDER AUTHORIZATION TO SUBMIT A REQUEST TO PENNDOT TO REDUCE THE SPEED LIMITS ALONG STATE ROADS IN ZELIENOPLE TO 25 MPH

A motion was made by Mr. Geis, seconded by Mrs. Reeb to request PennDOT to perform the appropriate engineering and traffic study for the following routes:

- Route 19 south from Culvert Street to the Zelienople Borough limit
- Route 19 north from the Zelienople Borough limit to Culvert Street
- Route 68 west from Hazel Street to the Zelienople Borough limit
- Route 68 east from the Zelienople Borough limit to Jefferson Street
- Route 68 east from Route 0019 to Division Street
- Route 68 west from Division Street to Route 0019

Should the request be approved, the Borough would be responsible for the purchase, installation, and maintenance of the 25 MPH signs.

Motion carried 5-0.

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## CONSIDER APPROVAL OF REQUEST FOR USE OF THE STREET LAMP OUTLET FOR HANGING LIGHTS FOR THE KAUFMAN TAVERN RESTAURANT

A motion was made by Mr. Foyle, seconded by Mr. Geis to approve the request from Kaufman Tavern for use of the street lamp outlet for hanging lights to avoid any kind of tripping hazard that running an extension cord presents.

Jason Eisenreich, owner of Kaufman Tavern, was granted approval for outdoor seating and service at various locations around the Kaufman House building on March 28 2022. The outdoor seating permit is attached. This request is for usage of the street lamp outlet for hanging lights from March through October 2022. Currently, the business is running extension cords to power the hanging lights and they fear that this can present a tripping hazard to their customers and/or employees. His formal letter of request is attached.

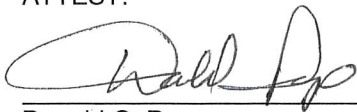
Motion carried 5-0.

## OTHER BUSINESS:

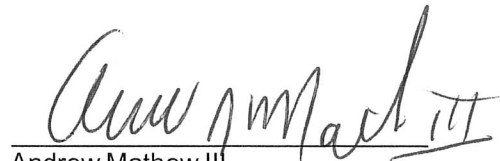
None

Being no further business, Vice President Andrew Mathew III closed the meeting at 7:56 PM.

ATTEST:



Donald C. Pepe  
Borough Manager



Andrew Mathew III  
Council Vice President

Approved by me this 29th day of August 2022.



Thomas M. Oliverio  
Mayor