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# *Minutes of the Borough Council Zelienople, PA*

8/29/2022

7:30 PM Council-Regular

MasterID:

728

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The August 29, 2022, Council Meeting of the Zelienople Borough Council was called to order at 7:30 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 and to allow for offsite participation. 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, Gregg Semel, Marietta Reeb, Ralph Geis, Doug Foyle, and Mayor Thomas Oliverio. Council Member Allen Bayer did not attend.

Also, in attendance were Borough Manager Don Pepe, Police Chief James Miller, Borough Solicitor Bonnie Brimmeier, Zoning & Code Officer Jason Sarver, and Borough Engineer Tom Thompson.

## PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Boy Scout Troop #457

## VISITORS:

In Person: Donna Statzer, Julia Masuca, Mike and Carol Sosak, R. Wuenschel, Boy Scout Troop 457, and Christine Patton

Remotely: Jane Graham

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## PUBLIC COMMENT

Donna Statzer commented about her concerns about the variance relating to the Harmony Fire District Fire Station.

## CONSENT AGENDA:

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

- Minutes of the August 8, 2022, Council Meeting.
- Transfer of Funds, \$150,000.00 from the Electric Fund to the General Fund, if needed.
- Acknowledge Receipt of Summary Budget Report.

Motion carried 6-0.

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## OLD BUSINESS:

### CONSIDER AFFIRMING SPECIAL EVENT PERMIT APPLICATION– HARMONY FIRE DISTRICT – BROTHERHOOD MEMORIAL RIDE

A motion was made by Mr. Geis, seconded by Mr. Foyle, to affirm the email vote of 7-0 to approve the Special Event Permit Application – Harmony Fire District Brotherhood Memorial Ride on August 28, 2022, from 9 am to 4 pm. They will coordinate and be responsive to the Chief of Police and Jason Mentel Parks and Recreation Director for all details and abide 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 have held this event for several years, but this is the first time they requested under the rules of a Special Event permit which was put into place last year. Because of that they did not know the requirements and went through the Police and Park separately as was done in the past. Their request was submitted on 8/18/22 and not in time for the last council meeting on 8/8/22. Since their event is on Sunday 8/28/22, before the 8/29/22 council meeting, council was asked to approve this request via email.

An email request to approve this item was sent on Friday 8/19/22 asking council to consider this Special Event application. We received seven (7) responses of approval. The item passed 7-0.

The Fire District has also provided the necessary insurance coverage.

Motion carried 6-0.

## NEW BUSINESS:

### CONSIDER LETTER OF SUPPORT FOR THE WBCA TWO GRANT APPLICATIONS TO THE "BUTLER COUNTY MUNICIPAL INFRASTRUCTURE PROGRAM" FOR STORMWATER RELATED PROJECTS

A motion was made by Mr. Mathew, seconded by Mr. Semel, to approve a letter of support for the two Butler Count Municipal Infrastructure Program grants submitted from WBCA.

The Western Butler County Authority (WBCA) has been part of the Lower Connoquenessing Regional Stormwater Steering group because of the nature of their function and because they have been willing to be a part of the overall discussion to improve stormwater management in the region and help protect these member municipalities from catastrophic flooding situations.

As part of this municipal collaboration, and for the benefit of the region, Borough Council supports the below referenced projects as they will improve stormwater management and flood control in our region as well as protecting our waterways.

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- “WBCA Stormwater Management Project”
- “Route 19 South Service Area Project”.

These two projects will be submitted to the Butler County Municipal Infrastructure Program which are in keeping with the goals of the overall group, consisting of Zelienople, Harmony and Evans City Boroughs and Jackson Township

Motion carried 6-0.

## CONSIDER SPECIAL EVENT PERMIT APPLICATION – ANNUAL CHICKEN BBQ FUNDRAISER

A motion was made by Mrs. Reeb, seconded by Mr. Geis, to approval of the Special Event Permit Application – Troop 457 Annual BBQ Chicken Dinner 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.

Mark Matusiak, representative on behalf of Boy Scout Troop 457, has requested a special event permit for their Annual BBQ Chicken Dinner to be held on September 17, 2022, from 8:00 AM to 6:00 PM at the SE Corner of Four Corners Park.

The request includes the following conditions:

- Add the Borough as an additional insured.
- Borough will provide potable water to the connection at the Lion fountain at no charge.
- Signage cannot block views of traffic on the adjacent roadways.
- Be responsive to complaints on noise.
- Must supply their own trash receptacles for the event and ensure that the area is cleaned of any trash and debris when the event is completed.
- Contact Public Works Director before a tent or shelter is erected so that we can ensure the grass is cut for the event.

Motion carried 6-0.

## CONSIDER SPECIAL EVENT PERMIT APPLICATION– COUNTRY FALL FESTIVAL AND MONETARY CONTRIBUTION

A motion was made by Mr. Mathew, seconded by Mr. Geis, to approve the Special Event Permit Application – Country Fall Festival to be held from October 15, 2022, through October 16, 2022, from 10:00 AM to 7:00 PM along Four Corners Park, Main Street Sidewalks, Spring Street, and Spring Street Park Lot and provide the Zelienople Area Business Association a monetary contribution of \$500.00 for the event. They will 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

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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 conditions and clarification noted above as Council may direct.

It is our understanding that the event and its activities will remain very much the same as in previous years. The following is a summary of the items in the letter.

- Permission for sidewalk sales, crafters / artists, antique vendors, kids' activities, contests & games, historic encampments, farmers market, organizations, and food vendors to set up and operate booths in the Four Corner Parks, located at Main St. & Grandview Ave, and south on Main St. to Beaver St.
- Permission for use of the South Parking Lot and the closing of Spring Street from Main Street to the exit of the lot. They are requesting that the Spring Street parking lot be closed completely at 12:00 PM on Friday, October 14th through Sunday evening, October 16th. They are also requesting the portion of West Spring Street between Main Street and the West parking lot access road be closed at 5:00 PM on Friday, October 14th until the conclusion of their tear down-efforts Sunday evening. It is imperative that access to the driveway behind the building on the South West side of Spring Street is maintained at all times.
- Permission for Horse Drawn Carriage Wagon Rides, and reserved spaces in front of the memorial area (2 parking space) if needed. A sanitation procedure and schedule will be implemented, and rides will be limited to single groups or family units. A map of the wagon route is attached.
- Permission for outdoor music and entertainment in the gazebo and various locations along Main Street during the event.
- They are requesting electric service at the Four Corners Park and Spring Street Municipal Parking Lot at the Borough's existing metered sites as needed. Note: Access to water service has always been provided in the past also in addition to the electric service. This must be coordinated with Chad Garland the Borough Public Works Director.
- The Fall Festival event coordinators will employ its own Maintenance Team which will oversee the placement of trash receptacles throughout the event area and maintain all public trash receptacles in the festival area in addition to the placement and maintenance of portable toilets and will facilitate the clean-up and tear-down of the event no later than Sunday, October 16, 2022.
- There will be tents used at various locations throughout the event area. Any tents used on blacktop areas (south parking lot, Spring St., etc.) would not be secured by pegs/stakes into the blacktop area rather they would be secured by other weighted means.
- Certificate of Insurance adding the Borough as an additional insured is attached.

Motion carried 6-0.

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## CONSIDER CURB CUT REQUEST FOR 104 PINE STREET

A motion was made by Mrs. Reeb, seconded by Mr. Semel, to approve the request from Matthew and Beth Stoltz for a curb cut at 104 Pine Street for a widened concrete driveway. The cost will be borne by the homeowner making the request.

The parcel is adjacent to undeveloped lot and is across the street from St. Gregory Church, with a comparable widened driveway. The request is similar to other parcels in their neighborhood.

This has been reviewed by Chad Garland and Jason Sarver, their recommendation is to allow the homeowner to install the widened concrete driveway. Driveway details required curb and apron will need to be followed per the Public and Private Improvements Code and will be provided in the response.

Motion carried 6-0.

## CONSIDER POLICE SERVICE CONTRACT WITH THE SENECA VALLEY SCHOOL DISTRICT

A motion was made by Mr. Semel, seconded by Mr. Mathew, to approve the Police Service Agreement with the Seneca Valley School District that provides a dedicated police service to the Connoquenessing Elementary School for the 2022-2023 school year. The Seneca Valley School Board has already approved the agreement.

The Seneca Valley School District would like to renew our existing Police Service contract covering the Connoquenessing Elementary School for the 2022-2023 school year. The contract is the same as in the past with the exception of increasing the service hours to 4 per school day. The hourly rate charged will be \$50.00.

Motion carried 6-0.

## CONSIDER REQUESTING THE CIVIL SERVICE COMMISSION PROVIDE COUNCIL WITH A CERTIFIED ELIGIBILITY LIST FOR HIRING A PART TIME POLICE OFFICER

A motion was made by Mr. Mathew, seconded by Mr. Foyle, to request the Civil Service Commission provide Council with a Certified Eligibility List prior to November 14, 2022.

Currently, the police department does not have a part time officer on staff. With the possibility of officers retiring in the next year and the extra demand for extra coverage at the elementary school, the need exists to have a part officer on staff. Our current civil service hiring regulations require that part time officers be hired through the civil service process and officers promoted to full time must have a

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year of service with the department prior to promotion. In order to hire a part time officer, Council must request the Civil Service Commission provide Council a certified eligibility list for hiring a part time officer.

Motion carried 6-0.

## CONSIDER PRELIMINARY APPROVAL OF VARIANCES RECOMMENDED BY PLANNING COMMISSION FOR FUTURE SITE OF HARMONY FIRE DISTRICT FIRE STATION

The Harmony Fire District requested preliminary approval for Land Development that is to be located at 424 Main Street, the future site of Harmony Fire District Fire Department Station.

The Planning Committee reviewed the revised Land Development plans dated July 20, 2022, prepared by ae7 Engineering firm, and made the Planning Committee recommended the Harmony Fire District Fire Department be granted variances for the following:

1. Consolidate 4 lots into 1 and modify the existing lot (Rt 19 4 lots together, 1 landlocked lot "Lot B" with access to High Street). "Lot B" is undersized (under 12,000 feet) feet of the R-1 District. (§280-601.E.1.a)
2. Allow 2 access points to Rt 19. Land developments are limited to one (1) access point per parcel. They have submitted a variance for having two access points. (§240-44.I)
3. Allow rear emergency access from High Street with the following stipulations:
  - a. A variance granted for the width and material of the 12-foot gravel access road. The minimum width is 20 feet. (§240-53.A) All driveways and parking areas other than single family shall have an aggregate base course, a bituminous binder course and a bituminous wearing course with sufficient structural strength to carry anticipated wheel loads. (§190-19.2).
  - b. An easement is included for the access way and that in the event that the lot is sold the easement is extinguished. Since Parcel B is a separate lot, the access road should include an easement in the event the lot is sold.
  - b. The access way is clearly marked at both ends as one-way into the Fire Department parking lot
  - c. A barrier is installed at the Fire Department parking lot entrance to be opened in event of emergency
  - d. The Borough study improvement of the intersection of High St and Terrace Ave with two Stop Signs and no parking at the corners per Borough standards

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4. Approval of the Land Development Plan

5. Contingencies as noted in Gannett Fleming Harmony Fire Station Land Development Letter

Code Enforcement Officer Jason Sarver gave a detailed synopsis on these variances.

Tabled until September 12, 2022, meeting due to the need for additional information.

## CONSIDERATION FOR ESTIMATE 3 TO THE CONSTRUCTION CONTRACT FOR THE CLAY STREET CURB REPLACEMENT PROJECT

A motion was made by Mr. Mathew, seconded by Mr. Geis, to approve Santamaria Landscape & Cement Contractors, Inc. Estimate No. 3 for the Clay Street Curb Replacement Project in the amount of \$23,558.24.

The work has been completed.

Motion carried 6-0.

## CONSIDERATION FOR CHANGE ORDER NO. 1 TO THE CLAY STREET CURB REPLACEMENT PROJECT FOR THE FINAL ADJUSTMENT OF QUANTITIES

A motion was made by Mr. Mathew, seconded by Mr. Semel, to approve Change Order No. 1 from Santamaria Landscape & Cement Contractors, Inc. for the Clay Street Curb Replacement Project in the amount of (\$35,177.09).

We have compiled the final adjustment of as-bid and as-built quantities for the contract.

Motion carried 6-0.

## OTHER BUSINESS:

None

## COUNCIL REQUEST FOR INFORMATION

Council reviewed the monthly request for information spreadsheet and facilities management schedule with all the items updated as of 8/24/2022 this includes any discussion and removal/addition of items from the previous month.

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Mr. Matthew requested an executive session for personnel matters

Mayor: Butler County Mayors Assoc meeting to be 10/20/22  
Reported on the Zelig Bed Race event

Manager: no report but requested an Executive Session contractual matters

Solicitor: no report

Engineer: no report

Police Chief: no report

Public Works Director: not present

Zoning/Code Officer: no report

Finance Director: Not present

Parks and Recreation Director: Not present

Time of Break (if needed) Time: 8:25 pm; Return 8:32 pm

Executive Session (if needed) Time: 8:32 pm; Return: 8:49 pm



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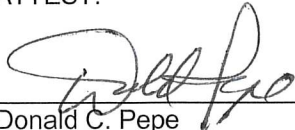
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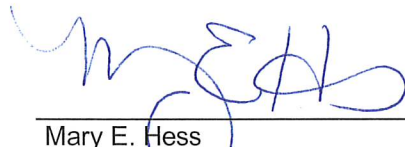
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Being no further business, President Hess closed the meeting at 8:49 PM.

ATTEST:

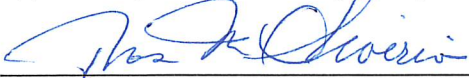


Donald C. Pepe  
Borough Manager



Mary E. Hess  
Council President

Approved by me this 12th day of September 2022.



Thomas M. Oliverio  
Mayor