
Minutes of the Borough Council Zelienople, PA

9/26/2022

7:30 PM Council-Regular

MasterID:

731

The September 26, 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 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, and Doug Foyle. Council Member Allen Bayer and Ralph Geis attended remotely. Mayor Thomas Oliverio did not attend.

Also, in attendance were Borough Manager Don Pepe, Police Chief James Miller, Parks and Recreation Director Jason Mentel, Borough Solicitor Bonnie Brimmeier, and Borough Engineer Tom Thompson. Public Works Director Chad Garland attended remotely.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chief Miller

VISITORS:

In Person:

Chris Arnold, Mike Sosak, Carol Sosak, and Jerry Maharg.
Others were there but didn't sign in.

Remotely:

Christine Patton

Council President Hess noted that council had an executive session on September 19, 2022 to discuss a contractual matter.

PUBLIC COMMENT

Mr. Arnold spoke to inform council that he is representing Jackson Townships Recreation initiative and is looking forward to working with the borough on Parks and Recreation activities. He was introduced to Jason Mentel the borough's Parks and Recreation Director to foster further discussion on this point.

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CONSENT AGENDA:

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

- Minutes of the September 12, 2022, Council Meeting.
- Transfer of Funds, \$150,000.00 from the Electric Fund to the General Fund, if needed.

Motion carried 7-0.

OLD BUSINESS:

CONSIDER FORMAL ADOPTION OF RESIDENTIAL DEVELOPMENT PROPOSED ORDINANCE #883-22

A motion was made by Mr. Mathew, seconded by Mr. Semel, to authorize the adoption of 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. A Public Hearing to consider future adoption of Proposed Ordinance #883-22 was held on September 20, 2022. A stenographer was present, and the transcript is forthcoming.

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"

Proposed Ordinance #883-22 follows Borough Code requirements as it was duly advertised.

Motion carried 7-0.

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NEW BUSINESS:

CONSIDER SPECIAL EVENT PERMIT APPLICATION– SPRING STREET STUDIOS MOSAIC UNVEILING

A motion was made by Mr. Foyle, seconded by Mr. Semel, to approve the Special Event Permit Application – Spring Street Studios Mosaic Unveiling to be held on September 29, 2022, from 5:15 PM to 6:00 PM at 100 E. Spring Street and to briefly close E. Spring Street during the unveiling ceremony 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:

- The Borough is agreeing to close the road as stipulated for their event.
- Be responsive to complaints on noise.
- They coordinate with the Street Department to obtain cones, barricades, and signs for street closure and coordinate with the Police Department for safety concerns, no later than Monday prior to the event.
- 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.
- They ensure that the area is cleaned of any trash and debris when the event is completed.
- This is not a Borough sanctioned or sponsored event.

Motion carried 7-0.

CONSIDER SPECIAL EVENT PERMIT APPLICATION–FISHERS BAR CUSTOMER APPRECIATION DAY/CHARITY CORNHOLE TOURNAMENT AND FOR TEMPORARY USE OF THREE PARKING SPACES IN THE MUNICIPAL TOWN CENTER LOT

A motion was made by Mr. Geis, seconded by Mr. Mathew, to approve the Special Event Permit Application – Customer Appreciation Day & Charity Cornhole Tournament to be held on October 1, 2022 from 10:00 AM to 10:00 PM and the use of five (5) parking spaces in the Municipal Town Center lot to allow Fishers Bar to use these parking spaces contiguous to their back property (131 S. Main St.) for their "Customer Appreciation Day" Event and the use of five (5) parking spaces in the Municipal Town Center lot 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

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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:

1. The spaces must be specifically used are 181-185.
2. 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.
3. Be sure not to pound stakes or similar into the parking lot asphalt.
4. 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.
5. 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.
6. There must be an insurance coverage that makes the borough an additional insured, to protect the borough from any claim for damages.
7. 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.

A motion was made by Mr. Mathew, seconded by Mr. Semel, to amend the motion to include the additional condition of Fisher's to obtain an alcohol permit prior to the event.

Motion carried 7-0.

CONSIDER SPECIAL EVENT PERMIT APPLICATION- GREAT PUMPKIN RACE

A motion was made by Mrs. Reeb, seconded by Mr. Foyle, to approve the Special Event Permit Application – Great Pumpkin Race to be held on October 30, 2022 from 2:00 PM to 6:00 PM along the parking lot of St. Gregory and streets on the west side of Main Street 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:

- Sponsor notify any affected neighbors of the road closure on Spruce Street near the church.
- The Borough is agreeing to close the road as stipulated for their event.
- Any signs must be small and not block views of traffic on any intersections. The sponsor must gain permission from all property owners to place these signs. They must also be removed as soon as the race is completed.
- Streets are not to be marked with paint of any kind.
- They coordinate with the Street Department to obtain cones, barricades, and signs for street closure and coordinate with the Police Department for safety concerns, no later than Monday prior to the event.

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- 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.
- They ensure that the area is cleaned of any trash and debris when the event is completed.
- This is not a Borough sanctioned or sponsored event.

Motion carried 7-0.

CONSIDER REMOVAL FROM PROBATIONARY STATUS AND MOVE TO REGULAR FULL TIME STATUS FOR JASON SARVER

A motion was made by Mr. Geis, seconded by Mr. Mathew, to move to place Jason Sarver to regular full-time status as he has successfully completed his probationary period effective September 13, 2022.

Jason Sarver was hired on September 13, 2021, on a probationary status as the Borough's Code Enforcement & Code Officer. The probation period has been successfully completed and we are asking that he be formally removed from probation and placed on Regular Full-Time status.

Motion carried 7-0.

CONSIDER APPOINTMENT OF INDEPENDENT BOROUGH AUDITOR

A motion was made by Mr. Reeb, seconded by Mr. Geis, to reappoint H2R CPA (formerly Cottrill, Arbutina & Associates) as the Borough Auditors.

Motion carried 7-0.

CONSIDER PROPOSED RESOLUTION #477-22 AMENDING THE ZELIENOPLE BOROUGH FEE SCHEDULE AS PROVIDED IN ORDINANCE NO. 865-19

A motion was made by Mr. Semel, seconded by Mr. Mathew, to adopt Proposed Resolution #477-22 amending the Zelienople Borough Fee Schedule as provided in Ordinance No. 865-19 to be effective immediately.

It is necessary from time to time to amend the borough comprehensive fee schedule due to motions that have been passed by Council establishing various charges and fees as well as changing circumstances which requires this fee schedule to be updated. Proposed Resolution #477-22 has been prepared for that purpose.

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The predominant changes are of course in the Parks and Recreation area since it is a new department, and those fees were not included in this document in the past.

A full and true copy of Resolution #477-22 can be found in the Resolution Book.



Borough Manager

Motion carried 7-0.

CONSIDER AWARD ELECTRICAL CONTRACT RECONFIGURE 4.16KV AERIAL-LINE HARMONY-FIRE STATION S. MAIN STREET

A motion was made by Mr. Mathew, seconded by Mrs. Reeb, to award RECONFIGURE 4.16KV AERIAL-LINE HARMONY-FIRE STATION S. MAIN STREET to Slater Electric and Sons for the contract value of \$54,000.00.

In coordination with the land development for the construction of the Harmony Fire Station at 424 S Main Street. Relocation of utility poles, primary electric, secondary electric and installation of wire and transformer will be included in this contract. The Borough will supply materials needed for the relocation of the aerial wireline. Materials estimates for this project are \$33,000.00

Cost for the utility relocation and materials will be recovered from the Harmony Fire District.

The apparent low bidder on the project is Slater Electric and Sons, base bid total of \$54,000.00.

Motion carried 7-0.

OTHER BUSINESS:

None

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COUNCIL REQUEST FOR INFORMATION

Council reviewed the monthly request for information spreadsheet and facilities management schedule with all the items updated as of 9/23/2022 this includes any discussion and removal/addition of items from the previous month.

No action vote was taken.

REPORTS

Committees Reports:

Mrs. Hess:

- Human Resources: Next meeting in on 9/28/22
- Parks & Recreation: no report
- Main St. Revit. Committee: no report
- Strategic Planning: no report

Mr. Semel:

- IT: no report
- Main St. Revit. Committee: no report
- COG: no report
- Airport Authority: no report

Mr. Geis:

- Electric: no report
- Bldg./Finance: no report
- Pension: Manager Pepe was asked to explain the funding status of our plans
- Bond refinancing: no report

Mr. Foyle:

- Pension Committee: no report
- Library: Gave a report on the advertising and interviews for a new director.

Mrs. Reeb:

- Public Safety/Street/Sidewalk/Storm Water: no report
- Historical Society: Continuing their fund raising at the Thursday Night events
- Shared Services Committee: no report

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Mr. Mathew:

- Water: No report
- Police Matters: no report
- Fire Dept. Liaison: no report
- Shared Services: no report
- Noted the sale of our 2004 Ford F-550 Dump Truck with plow and spreader for \$22,600.

Mayor: not present

Manager: Noted that PennDot received our request for speed limit reduction on state roads in the borough and will complete their report in October.

Solicitor: no report

Engineer: no report

Police Chief: no report

Public Works Director: Noted his meeting with the Railroad and their intended immediate repair of the crossing on W. New Castle Street and the complete improvement of this crossing in 2023.

Zoning/Code Officer: Not present

Finance Director: Not present

Parks and Recreation Director: No report

Time of Break (if needed) Time: 8:10 pm; Return 8:15 pm

Executive Session (if needed) Time: 8:15 pm; Return: 9:05 pm

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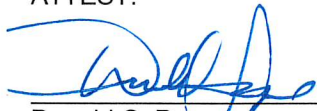
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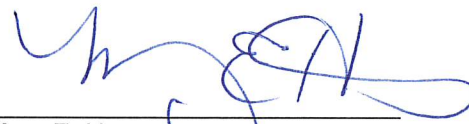
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Being no further business, President Hess closed the meeting at 9:05 PM.

ATTEST:

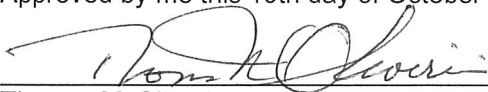


Donald C. Pepe
Borough Manager



Mary E. Hess
Council President

Approved by me this 10th day of October 2022.



Thomas M. Oliverio
Mayor