
Minutes of the Borough Council Zelienople, PA

2/13/2023

7:30 PM

Council-Regular

MasterID: 739

The February 13, 2023, 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, Marietta Reeb, Gregg Semel, Doug Foyle, Junior Council Person Kyra Fazio, and Mayor Thomas Oliverio. Council Member Ralph Geis attended remotely. Council Member Allen Bayer did not attend.

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

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Mayor Oliverio

VISITORS:

In Person: Adel Fatur, Lesa Gallagher, and Daniel Fritch

Remotely: Someone had attended but did not identify themselves

PUBLIC COMMENT:

Lisa Gallagher commented on the sidewalk being removed on High Street and requested that they be replaced soon.

CONSENT AGENDA:

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

- Minutes of the January 30, 2023, Council Meeting.
- Transfer of Funds, \$150,000.00 from the Electric Fund to the General Fund, if needed.

Motion carried 6-0.

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OLD BUSINESS:

None

NEW BUSINESS:

CONSIDER ACCEPTANCE OF THE BILLS TO BE PAID FOR THE MONTH OF FEBRUARY IN THE AMOUNT OF \$1,148,173.07

A motion was made by Mr. Geis, seconded by Mrs. Reeb to accept, and approve the "Bills to Be Paid" report for January in the amount of 1,148,173.07.

Motion carried 6-0.

CONSIDER SPECIAL EVENT PERMIT APPLICATION – CONNOQUENESSING VALLEY ELEMENTARY SCHOOL (CVE) FUN RUN

A motion was made by Mrs. Reeb, seconded by Mr. Mathew to approve Special Event Permit Application – I Love Connoquenessing Valley Elementary School (CVE) Fun Run to be held on Saturday, April 29, 2023 from 8:00 AM to 11:00 AM through the streets of Zelienople and Harmony Boroughs, 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 with the following conditions:

- It is their responsibility to coordinate the event with the Borough Parks & Recreation Department and all Emergency Services 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.
- 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.
- They ensure that the area is cleaned of any trash and debris when the event is completed.
- Streets are not to be marked with paint of any kind.
- 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.
- The sponsor must also receive the necessary approvals from Harmony Borough.

Motion carried 6-0.

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CONSIDER SPECIAL EVENT PERMIT APPLICATION– SENECA VALLEY NORTH ATHLETIC ASSOCIATION (SVNAA) CASH BASH FUNDRAISER

A motion was made by Mr. Foyle, seconded by Mrs. Reeb to approve Special Event Permit Application – Seneca Valley North Athletic Association (SVNAA) Cash Bash Fundraiser to be held on May 20, 2023 from 6:00 PM to 10:00 PM at the Zelienople Community Park, large Rotary Shelter #2, 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 6-0.

CONSIDER ADDENDUM TO SPECIAL EVENT PERMIT APPLICATION– VAU FALLEN HEROES MEMORIAL

A motion was made by Mr. Mathew, seconded by Mr. Semel to approve Addendum to Special Event Permit Application – VUA Fallen Heroes Memorial to be held on July 2, 2023, through July 5, 2023 at the Four Corner Park which was approved by council on August 8, 2022 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.

An addendum to the special event application, includes the following additions:

- In addition to use of all of 4 Corner Park, they are requesting permission to use the parking lot next to Goodfello's.
- Placement of flags in ground at 4 Corner Park.
- Possible placement of crosses in ground at 4 Corner Park.
- Open Ceremony to include songs, color guard.
- 3 parking spaces in front of the Memorial.
- Police patrol to include security at night.
- A few motorcycles on display on cement pad.
- Banner at one of the corners. Specifications will be submitted prior to the event for council approval by resolution.
- Small pop up tents and chairs.
- Decorations on Fence.

Motion carried 6-0.

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CONSIDER RESOLUTION #488-23 TO REAPPOINT WAYNE FRANKENSTEIN TO THE ZONING & HEARING BOARD (ZHB)

A motion was made by Mr. Foyle, seconded by Mrs. Reeb to adopt Resolution #488-23 for the purpose of reappointing Wayne Foreman to the Zoning Hearing Board (ZHB) for the term effective 1/3/2023 to 12/31/2025.

Wayne Frankenstein's term on the ZHB expired on January 3, 2023. Mr. Foreman has indicated a desire to be reappointed for another three (3) year term. The MPC requires the formal appointment to be made by Resolution. Over the years, we have been trying to make the appointment dates more consistent; therefore, the upcoming term would be from 1/3/23 to 12/31/2025.

A full and true copy of Resolution #488-23 can be found in the Resolution Book.



Borough Manager

Motion carried 6-0.

CONSIDER APPOINTMENT OF ANDREW CHIAPUSIO TO THE CIVIL SERVICE COMMISSION

A motion was made by Mr. Mathew, seconded by Mrs. Reeb to appoint Andrew Chiapusio as a member of the Civil Service Commission for the term effective 2/10/2023 to 12/31/2028.

Rich Sefscik's term on the Civil Service Commission expired on February 10, 2023. He did not wish to be reappointed to the Commission and as such there is still a vacancy on the Civil Service Commission. Andrew Chiapusio, neighbor of Rich Sefscik, spoke with Rich regarding the vacancy and duties of the Commission and he has indicated his interest in being appointed to fill the vacancy on the Civil Service Commission. The term on the Civil Service Commission is a six (6) year term. Over the years, we have been trying to make the appointment dates more consistent; therefore, the appointment would be from 2/10/23 to 12/31/2028.

Motion carried 6-0.

CONSIDER APPOINTMENT OF THOMAS CICCHIANI TO THE CIVIL SERVICE COMMISSION

A motion was made by Mr. Mathew, seconded by Mrs. Reeb to appoint Thomas Cicchiani as a member of the Civil Service Commission for the term effective 2/10/2023 to 12/31/2028.

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Thomas Cicchiani has indicated his interest in being appointed to fill the vacancy on the Civil Service Commission. The term on the Civil Service Commission is a six (6) year term. Over the years, we have been trying to make the appointment dates more consistent; therefore, the appointment would be from 2/10/23 to 12/31/2028.

Motion carried 6-0.

CONSIDER HIRING PART TIME POLICE OFFICER

A motion was made by Mr. Semel, seconded by Mr. Foyle to approve the hiring of Jonathan Brink, one of the eligible candidates on the Civil Service Commission certified eligibility list, as a Part Time Police Officer for the Zelienople Police Department.

On August 29th 2022, Council made a formal request asking the Civil Service Commission to provide Council with a certified eligibility list to hire a Part Time Police Officer. On January 7, 2023, a certified eligibility list to hire a Part Time Police Officer was established. Borough Council interview two eligible candidates on January 30, 2023.

Motion carried 6-0.

CONSIDERATION FOR ACCEPTING FIREWORKS DISPLAY CONTRACT WITH PEAK PYRO BY KELLNER'S FOR 4TH OF JULY FIREWORKS AT THE COMMUNITY PARK

A motion was made by Mrs. Reeb, seconded by Mr. Mathew to accept the agreement with Peak Pyro by Kellner's LLC for the purchase of a July 4th fireworks display at the Zelienople Community Park in the amount of \$11,200.00 with a nonrefundable deposit of 50% of the contract due upon signing the display contract.

We have received a fireworks display contract from Peak Pyro by Kellner's LLC to provide and exhibit fireworks for a display on July 4, 2023 at the Zelienople Community Park in the amount of \$11,200.00. This is the same amount that we had paid for the fireworks display in 2022. Payment requires 50% of the contract price nonrefundable deposit upon signing the contract. The balance is due 10 days after the event.

Peak Pyro by Kellner's will provide a valid certificate of insurance providing \$1,000,000.00 of liability insurance.

Motion carried 6-0.

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CONSIDER UPDATES TO PARK NAMING RIGHTS POLICY

A motion was made by Mrs. Reeb, seconded by Mr. Foyle to approve the updated Monuments and Naming Rights policy.

On September 29, 2014, Borough Council approved a policy for park naming rights at the Zelienople Community Park. The Zelienople Community Park Association had put a naming rights policy into place because of the many requests for memorials, named gifts, etc. over the years and felt it was necessary to control this in a logical and comprehensive manner. One of the goals is not to create an atmosphere in the park of being a memorial or cemetery like feel but rather one of celebration of the gifts people can bring to the park as a vibrant and living entity.

Up for consideration is an updated Monuments and Naming Rights Guidelines. Updates that were made are:

- Change Zelienople Community Park Association to Zelienople Parks and Recreation Department
- Add the Park Advisory Board

Motion carried 6-0.

CONSIDERATION FOR ADOPTING A RESOLUTION FOR THE USE OF LOCAL FUNDS FOR THE ZELIENOPLE REVITALIZATION AND ECONOMIC DEVELOPMENT PROJECT PHASE 3

A motion was made by Mr. Semel, seconded by Mr. Mathew to adopt Resolution 489-23, a resolution for the use of local funds for the Zelienople Revitalization and Economic Development Project Phase 3 and to provide the approved Capital Budget showing the budget line appropriation(s) for the Redevelopment Assistance Capital Program (RACP) project.

The RACP initial application indicated that the Borough would utilize a local match in the amount of \$262,500 for use on the Zelienople Revitalization and Economic Development Project to serve as permanent financing. As part of the fund request procedure. The grant agency representatives recommend that a resolution be adopted that indicates that the Borough utilize internal funding for the interim funding.

In addition, RACP requires support documentation to be provided in the form of an approved Capital Budget, annotated to show what budget line(s)/appropriation(s) are for the RACP project. The 2023 Operating Budget & Capital Improvements Plan doesn't specifically mention the RACP project.

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A full and true copy of Resolution #489-23 can be found in the Resolution Book.


Borough Manager

Motion carried 6-0.

CONSIDER RESOLUTION #490-23 – AN AUTHORIZING RESOLUTION FOR THE AMERICAN RESCUE PLAN ACT (ARPA) STORMWATER GRANT WITH BUTLER COUNTY

A motion was made by Mr. Mathew, seconded by Mr. Foyle to adopt Resolution #490-23 for accepting the American Rescue Plan Act (ARPA) stormwater grant funds awarded from Butler County totaling \$465,334.70 and to authorize Borough Manager Andrew Spencer to administer the funds received in accordance with all applicable regulations and guidance.

Butler County was eligible to receive funding from the Coronavirus Local Fiscal Recovery Funds (CLFRF) of H.R. 1319 American Rescue Plan Act (ARPA) and a portion of the CLFRF funds were allocated to the County to invest in the infrastructure needs of the County. The County created a Municipal Infrastructure Program (MIP) to provide CLFRF funds to local municipalities.

As part of the regional stormwater municipal group, the Borough of Zelienople applied for and received Four (4) grants regarding Stormwater management improvements from the County's ARPA allocation totaling \$465,334.70. These include the following:

1. Stormwater management for the study of the creation of a Joint Southwestern Butler County Stormwater Authority
2. High Street/Main Street Stormwater Project
3. Main Street Stormwater Project
4. Stream Bank Study, and Connoquenessing Creek Flooding Area Study

As a sub-recipient of the CLFRF, the Borough of Zelienople must comply with all applicable budgeting, accounting, contracting, reporting and other compliance requirements for these CLFRF funds.

There is a requirement to adopt an authorizing resolution to accept the CLFRF funds awarded by the County and to authorize Borough Manager Andrew Spencer to receive and administer the CLFRF funds in accordance with all applicable regulations and guidance.

Resolution #490-23 has been prepared for this purpose.

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A full and true copy of Resolution #490-23 can be found in the Resolution Book.



Borough Manager

Motion carried 6-0.

OTHER BUSINESS:

Borough Manager Andrew Spencer requested an executive session on a contractual matter.

Chief Jim Miller requested an executive session on a personnel matter.

Borough Solicitor Bonnie Brimmeier requested an executive session on a personnel matter.

Time of Break: 8:00 PM, Returned: 8:07 PM

Executive Session Time: 8:07 PM, Returned: 8:54 PM

Being no further business, President Hess closed the meeting at 8:55 PM.

ATTEST:

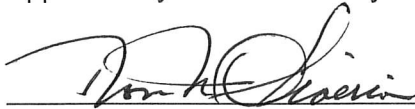


Andrew C. Spencer
Borough Manager



Mary E. Hess
Council President

Approved by me this 27th day of February 2023.



Thomas M. Oliverio
Mayor