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# Minutes of the Borough Council Zelienople, PA

4/24/2023

7:30 PM

Council-Regular

MasterID: 744

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The April 24, 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 attendants were Council Members Mary Hess, Andrew Mathew III, Marietta Reeb, Doug Foyle and Mayor Thomas Oliverio. Council Members Ralph Geis and Gregg Semel attended virtually. Council Member Allen Bayer did not attend. Junior Councilperson Kyra Fazio was also in attendance.

Borough Manager Andrew Spencer, Police Chief James Miller, Borough Solicitor Bonnie Brimmeier, Public Works Director Chad Garland, Zoning and Code Officer Jason Sarver, and Borough Engineer Tom Thompson were also in attendance.

## **EXECUTIVE SESSION:**

Mrs. Hess noted that there was an Executive Session concerning the contractual matter at 7:00 PM. Session adjourned at 7:25 PM.

## **PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Mayor Thomas Oliverio.

## **VISITORS:**

In Person: Kristen Hogan, Jan Maharg, Donna Statzer, and Mary Kay Soriano

Remotely: Mike Sosak, Carol Sosak, Jim Hulings and Lauren Shorr

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## **PUBLIC COMMENT**

Donna Statzer commented on traffic noise and Jake Brakes being used; requested something to be done to stop the use of those brakes.

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## **CONSENT AGENDA:**

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

- Minutes of the April 10, 2023, Council Meeting
- Transfer of Funds, \$150,000.00 from the Electric Fund to the General Fund, if needed.

Motion carried 6-0.

## **OLD BUSINESS:**

None

## **NEW BUSINESS:**

### **CONSIDER SPECIAL EVENT PERMIT APPLICATION–FISHERS BAR CRAWFISH BOIL AND FOR TEMPORARY USE OF PARKING SPACES IN THE MUNICIPAL TOWN CENTER LOT**

A motion was made by Mr. Mathew, seconded by Mr. Geis, to approve Special Event Permit Application – Fisher’s Bar Crawfish Boil to be held on May 20, 2023 from Noon to 11:00pm 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 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, 195-198, and 187-192.
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 in 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 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.

Motion carried 6-0.

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## **CONSIDER PRIVACY POLICY FOR ZELIENOPLE MOBILE APP**

A motion was made by Mr. Foyle, seconded by Mrs. Reeb, to approve the Zelienople Mobile App Privacy Policy. To comply with new Google Play™ Store requirements, Borough Administration developed a Privacy Policy pertaining to the use of the Zelienople mobile app. Google requires a link to the Privacy Policy. Per Google, the Privacy Policy must include a Mobile App section that references CivicPlus and SeeClickFix and includes the App name. The approved Privacy Policy meets these requirements.

The Privacy Policy has also been reviewed and accepted by the IT Committee.

Motion carried 6-0.

## **CONSIDER APPROVAL FOR THE PARKS AND RECREATION SPECIAL EVENTS AND SPORTS TOURNAMENTS POLICIES AND PROCEDURES**

A motion was made by Mr. Mathew, seconded by Mr. Geis, to approve Special Events, Sports Tournament Park Use Policies and Procedures for Parks and Recreation. The Parks and Recreation Department developed policies and procedures for Special Events and Sports Tournament for park use.

Motion carried 6-0.

## **CONSIDER APPROVAL OF SEALCOATING QUOTE FOR THE COMMUNITY PARK PARKING LOT**

A motion was made by Mrs. Reeb, seconded by Mr. Geis, to approve the quote with Cavalier Sealcoating for sealing, restriping, and repairs to the catch basing at the Community Park parking lot for \$9,835.56.

The Director of Parks and Recreation was asked to attain quotes for sealcoating and restriping the parking lot at the Community Park to complete the project before the busy summer season begins. Quotes were requested and a satisfactory quote was received from Cavalier Sealcoating for \$9,835.56, which includes the sealing, line striping, and repairs to the catch basin. The Borough's 2023 Budget included \$48,034 for infrastructure improvements at the community park, so there are funds available in that line item to complete this project.

Motion carried 6-0.

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## **CONSIDERATION FOR APPROVING RESOLUTION #495-23, A RESOLUTION APPROVING THE TRAFFIC SIGNAL MAINTENANCE AGREEMENT (TSMA) WITH PENNDOT**

A motion was made by Mr. Mathew, seconded by Mr. Foyle to adopt Proposed Resolution #495-23, a Resolution to approve the Traffic Signal Maintenance Agreement (TSMA) with PennDOT.

As part of the highway occupancy permit application for the pedestrian crossing and Phase 3 signal, PennDOT is requiring that the Borough execute a TSMA. This is a standard form agreement and requires a resolution to sign the agreement.

A full and true copy of Resolution #495-23 can be found in the Resolution Book.



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Borough Manager

Motion carried 6-0.

## **CONSIDERATION FOR APPROVING RESOLUTION #496-23, A RESOLUTION APPROVING THE GLADE RUN RESIDENTIAL DEVELOPMENT PLANNING MODULE**

A motion was made by Mrs. Reeb, seconded by Mr. Foyle, to table the consideration for approval of Resolution #496-23.

Glade Run Properties is proposing a 411-unit residential development along Beaver Street and Muntz Run Road. As part of this development, PaDEP requires that the Borough approve Resolution #496-23 and the sewage planning module application.

Tabled.

## **CONSIDERATION FOR PURCHASING MATERIALS FOR THE ZELIENOPLE BOROUGH REVITALIZATION ECONOMIC DEVELOPMENT PHASE 3 PROJECT**

A motion was made by Mr. Foyle, seconded by Mr. Geis to approve the purchase of materials for the Zelienople Borough Revitalization/Economic Development Phase 3 Project with Schadler Yesco/M.B. Squires Company in the amount of \$228,740. The estimated delivery time for the signal light poles, mast arms, and pedestals 30 to 35 weeks.

In order to speed up the construction phase completion, the Borough can prepurchase the materials through a COSTARS vendor. M..B. Squires Company affiliated company Schadler Yesco is a COSTARS Members.

Motion carried 6-0.

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## **CONSIDERATION FOR ACCEPTING THE GANNETT FLEMING ENGINEERING PROPOSAL FOR TWO STORMWATER STUDIES**

A motion was made by Mr. Mathew, seconded by Mr. Foyle, to accept the Gannett Fleming Engineering proposal for two stormwater studies for the costs noted below.

As part of the Southwest Butler Stormwater Planning Group, two projects were submitted for funding related to stormwater. The first study was the area from the community park to High Street. The second study area was in the Sportsmen Club Area.

The cost breakdown of the studies is as follows:

	Estimated Cost	Butler County Infrastructure Funding	Municipal Program	Borough Match
Task No. 1 – Stream Bank Study	\$18,000	\$11,187		\$6,813
Task No. 2 – Connoquenessing Creek Flooding Area Study	\$25,000	15,537.50		\$9,462.50

Motion carried 6-0.

## **CONSIDERATION FOR ACCEPTING THE GANNETT FLEMING ENGINEERING PROPOSAL FOR GIS WORK RELATED TO STUDYING THE FEASIBILITY OF A JOINT STORMWATER AUTHORITY SERVING THE FOUR MUNICIPALITIES AND POSSIBLY TO DEVELOP AN ONGOING FUNDING SOURCE THROUGH A STORMWATER FEE**

A motion was made by Mr. Geis, seconded by Mr. Mathew, to accept the Gannett Fleming Engineering proposal for GIS work related to studying the feasibility of a joint stormwater authority serving the four municipalities and possibly to develop an ongoing funding source through a stormwater fee for a cost of \$24,000.

As part of the Southwest Butler Stormwater Planning Group, the development of the Equivalent Residential Unit (ERU) for the four municipalities (Zelienople Borough, Harmony Borough, Evans City Borough, Jackson Township) is needed. This would be accomplished by developing a GIS database as outlined in the proposal. The cost of the GIS work for sites in the Borough is \$24,000, itemized as follows:

Parcel Data Analysis (ERU Fee) - \$15,000  
Engineering QAQC for ERU and Capital Plan - \$4,000  
Development of Official Map to include Proposed Storm Water Facilities - \$5,000

Funding for this program is from the Butler County Municipal Infrastructure Program award (\$21,600) with a Borough match of \$2,400.

Motion carried 6-0.

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## CONSIDER APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE HARMONY FIRE DISTRICT

A motion was made by Mr. Mathew, seconded by Mr. Semel, to approve the Memorandum of Understanding with the Harmony Fire District.

The Memorandum of Understanding (MOU) was created after an ad hoc committee of council and staff met with representatives from the Board of the Harmony Fire District to discuss the new fire station project needs as well as infrastructure costs (approx. \$213,000) related to the project. The key points to this MOU are: 1.) The Borough will complete (contribute) and oversee the utility and infrastructure relocations associated with the new fire station project to the Harmony Fire District without any cost to the Fire District. 2.) The Fire District will transfer the title of the property on Jefferson Street (old Borough garages) back to the Borough free and clear, with the understanding that the Borough will allow the Fire District use of the property until the new station is complete as well as make an allowance for use of a garage bay when needed by the Fire District going forward.

Motion carried 6-0.

## COUNCIL REQUEST FOR INFORMATION

Council reviewed the monthly request for information spreadsheet and facilities management schedule with all the items updated as of 4/18/2023 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: Noted that the committee is meeting on 4/26/2023
- Park & Recreation: Noted that they are getting ready for this season
- Main St. Revit. Committee: no report

### **Mr. Semel:**

- IT: Noted that they met regarding the mobile app Privacy Policy
- Main St. Revit. Committee: Noted that they met last week
- COG: no report

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**Mr. Geis:**

- Electric: Asked about electric vehicle charging station
- Bldg./Finance: no report
- Pension: no report

**Mr. Foyle:**

- Pension Committee: no report
- Library: no report

**Mrs. Reeb:**

- Public Safety/Street/Sidewalk/Storm Water: Noted the National Day of Prayer is approaching
- Historical Society: Noted that the historical society's tea was successful
- Shared Services Committee: no report

**Mr. Mathew:**

- Water: no report
- Police Matters: no report
- Fire Dept. Liaison: no report
- Shared Services: no report

**Mayor:**

- Airport Authority: Reported that he attended his first meeting

Jr. Council Person Fazio: Noted that she recently traveled to Harrisburg for her coursework

Manager: no report

Solicitor: no report

Engineer: no report

Police Chief: Noted that security cameras are being installed

Public Works Director: Noted that he is working with the Police Department on security camera installation

Zoning/Code Officer: Noted that this is a busy time of year for permitting and so forth

Finance Director: not present

Parks and Recreation Director: not present

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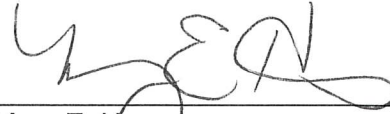
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Being no further business, President Hess closed the meeting at 8:16 PM.

ATTEST:



Andrew C. Spencer  
Borough Manager



Mary E. Hess  
Council President

Approved by me this 8<sup>th</sup> day of May 2023.



Thomas M. Oliverio  
Mayor