

# Minutes of the Borough Council Zelienople, PA

6/12/2023 7:30 PM

Council-Regular

MasterID: 746

The June 12, 2023, Council Meeting of the Zelienople Borough Council was called to order at 7:37 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, Gregg Semel, Doug Foyle, Ralph Geis, and Mayor Thomas Oliverio. Council Member Allen Bayer did not attend.

Borough Manager Andrew Spencer, Assistant Borough Manager Cindy Edwards, Borough Solicitor Bonnie Brimmeier, Police Chief Jim Miller, Borough Engineer Tom Thompson, and Parks and Recreation Director Jason Mentel were also in attendance. Public Works Director Chad Garland attended virtually.

## **EXECUTIVE SESSION:**

Mrs. Hess noted that there was an Executive Session concerning a contractual matter at 7:00 PM. Session adjourned at 7:29 PM.

## **PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Police Chief Jim Miller.

## **VISITORS:**

In Person: Dan Fritch, Adel Fatur, Jim Hulings, Andy Blaha, Greg Hulbert and Mary Ann Hulbert

Remotely: Mike and Carol Sosak

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## **PUBLIC COMMENT**

Jim Hulings commented on Glade Run sewage facilities planning module.

# Minutes of the Borough Council Zelienople, PA

6/12/2023

7:30 PM

Council-Regular

MasterID: 746

## **CONSENT AGENDA:**

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

- Minutes of the May 8, 2023, Council Meeting
- Transfer of Funds, \$150,000.00 from the Electric Fund to the General Fund
- Acknowledge receipt of March 31, 2023 Summary Budget Report

Motion carried 6-0.

## **OLD BUSINESS:**

### **CONSIDER ADOPTING PROPOSED ORDINANCE #886-23 AMENDING CODE OF ORDINANCE AT CHAPTER 260 TO ESTABLISH NEW PARKING LOTS AND NEW PARKING REGULATIONS WITHIN THE BOROUGH**

A motion was made by Mr. Geis, seconded by Mr. Mathew, to approve the adoption of Proposed Ordinance #886-23 amending Code of Ordinance at Chapter 260 to establish new parking lots and new parking regulations within the Borough. Recently, the Borough has acquired additional parking lots in the Borough by way of purchase or lease agreements. In order to establish the new parking lots and provide rules and regulations for the lots, the Borough ordinances related to parking needed to be amended. The Borough Solicitor has reviewed and approved the proposed ordinance.

Proposed Ordinance #886-23 was approved for advertising by Council on April 10, 2023 and has been duly advertised.

Motion carried 6-0.

### **CONSIDER RESOLUTION #496-23 AND GLADE RUN SEWAGE FACILITIES PLANNING MODULE**

A motion was made by Mr. Mathew, seconded by Mr. Foyle, to approve the Glade Run Sewage Facilities Planning Module and Resolution #496-23. As part of the proposed 411 unit Glade Run residential development along Beaver Street and Muntz Run Road, PaDEP requires the resolution and sewage planning module application.

# Minutes of the Borough Council Zelienople, PA

6/12/2023

7:30 PM

Council-Regular

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A full and true copy of Resolution #496-23 can be found in the Resolution Book.



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Borough Manager

Motion carried 6-0.

## **NEW BUSINESS:**

### **CONSIDER ACCEPTANCE OF THE BILLS TO BE PAID FOR THE MONTH OF JUNE 2023 IN THE AMOUNT OF \$1,109,948.09.**

A motion was made by Mrs. Reeb, seconded by Mr. Semel to accept and approve the “Bills to Be Paid” report for June in the amount of \$1,109,948.09.

Motion carried 6-0.

### **CONSIDER SPECIAL EVENTS APPLICATION – EXPLORE ZELIE 2023 ZELIENOPLE PUTT N POUR**

A motion was made by Mr. Semel, seconded by Mr. Foyle, to approve Special Event Permit Application – Explore Zelig 2023 Zelienople Putt n Pour to be held on August 19, 2023 from 12:00pm to 5:00pm on Main Street sidewalks throughout downtown Zelienople and to close E. New Castle Street from Main Street to High Street. As in years past, they requested that a small pop-up tent be placed at the Citizen Drive Thru lot where the event check-in will take place.

This event is permitted 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 the following conditions:

- It is their responsibility to coordinate the event with the Police Department for safety concerns and the Borough Public Works Department to obtain cones, barricades, and signs for the street closure, 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.
- Must ensure that the area is cleaned of any trash and debris when the event is completed.



# Minutes of the Borough Council Zelienople, PA

6/12/2023

7:30 PM

Council-Regular

MasterID: 746

- 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.
- An Alcohol Permit for Borough Owned Property must be obtained from the Police Department.
- This is not a Borough sponsored event.

Motion carried 6-0.

## **CONSIDER SPECIAL EVENTS APPLICATION – JULY 4, 2023 DIVISION STREET BLOCK PARTY AND ROAD CLOSURE**

A motion was made by Mr. Mathew, seconded by Mrs. Reeb, to deny Special Event Permit Application – July 4, 2023 Division Street Block Party and Road Closure due to traffic concerns getting to the park for the community day events and traffic to the fireworks as closing Division Street restricts traffic to and from the park.

Motion carried 6-0.

## **CONSIDER SPECIAL EVENTS APPLICATION – JULY 29, 2023 DIVISION STREET BLOCK PARTY AND ROAD CLOSURE**

A motion was made by Mrs. Reeb, seconded by Mr. Foyle, to approve Special Event Permit Application – July 29, 2023 Division Street Block Party and Road Closure to be held on Sunday, July 29, 2023 from 2:00pm to 10:00pm on the 200 block of Division Street and to close Division Street from E. Beaver Street to E. Spring 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 same conditions placed upon the approval of such events and with the following conditions:

- Sponsor must notify all affected neighbors of the road closure on Division Street between E Beaver Street and E Spring Street. The intersection of Spring Street (Center) and Division Street must remain open.
- The Borough is agreeing to close the road as stipulated for their event.
- Be responsive to complaints on noise.
- Should a second complaint be received all music will be shut down.
- 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.

# Minutes of the Borough Council Zelienople, PA

6/12/2023

7:30 PM

Council-Regular

MasterID: 746

- 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 6-0.

## **CONSIDER SPECIAL EVENTS APPLICATION – E. NEW CASTLE STREET BLOCK PARTY AND ROAD CLOSURE**

A motion was made by Mr. Geis, seconded by Mrs. Reeb, to approve Special Event Permit Application – E. New Castle Street Block Party and Road Closure to be held on Saturday, July 15, 2023 from 2:00pm to 7:00pm on the 200 block of E. New Castle Street and to close E. New Castle Street from Oliver Street to High 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 same conditions placed upon the approval of such events and with the following conditions:

- Sponsor must notify all affected neighbors of the road closure on E New Castle Street between Oliver Street and High Street.
- The Borough is agreeing to close the road as stipulated for their event.
- Be responsive to complaints on noise.
- Should a second complaint be received all music will be shut down.
- 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 6-0.

## **CONSIDER SPECIAL EVENTS APPLICATION – CHRISTOPHER HULBERT MEMORIAL 5K**

A motion was made by Mr. Mathew, seconded by Mr. Foyle, to approve Special Event Permit Application – Christopher Hulbert Memorial 5K to be held on on November 11, 2023 from 8:00 AM to 1:00 PM along the parking lot of the Community Park, Swimming Pool, and CVE 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:



# Minutes of the Borough Council Zelienople, PA

6/12/2023

7:30 PM

Council-Regular

MasterID: 746

- 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.
- 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 6-0.

## **CONSIDER REQUEST TO APPROVE PROPOSED RESOLUTION #497-23 TO ALLOW THE ZELIENOPLE HISTORICAL SOCIETY TO PLACE BANNER SIGNS AT THE 4 CORNER PARK PROMOTING THE VAU FALLEN HERO MEMORIAL**

A motion was made by Mr. Semel, seconded by Mr. Mathew, to approve Resolution #497-23 which allows the Zelienople Historical Society to place three 3 foot by 4 foot banner signs at the Four Corners Park at the northeast, southeast, and northwest corners to promote the VAU Fallen Hero Memorial event. These signs would remain from June 14, 2023, to be taken down on July 6, 2023.

A full and true copy of Resolution #497-23 can be found in the Resolution Book.



Borough Manager

Motion carried 6-0.

## **CONSIDER APPROVAL OF ZELIENOPLE COMMUNITY POOL OPENING AND REDUCED-PRICE ADMISSION ON JULY 4TH**

A motion was made by Mrs. Reeb, seconded by Mr. Mathew, to approve the opening of Zelienople Community Pool July 4, 2023 from 12:30 pm to 3:30 pm with a half hour early admission for members and reduced-price admission of \$5.00 per person for non-members.

Motion carried 6-0.

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6/12/2023

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MasterID: 746

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## **CONSIDERATION FOR ESTIMATE 13 TO THE CONSTRUCTION CONTRACT FOR THE ZELIENOPLE BOROUGH REVITALIZATION ECONOMIC DEVELOPMENT PHASE 2 – ECMS PROJECT**

A motion was made by Mr. Mathew, seconded by Mr. Foyle, to approve Estimate No. 13 from M and B Services LLC for the Zelienople Borough Revitalization/Economic Development Phase 2 – ECMS Project in the amount of \$23,487.30.

Motion carried 6-0.

## **CONSIDER APPROVAL OF ROADWAY LINE AND MARKING PAINTING ESTIMATE FOR THE SUMMER OF 2023**

A motion was made by Mr. Mathew, seconded by Mrs. Reeb, to approve roadway line and marking painting estimate for the summer of 2023 from Sure Line, Inc. in the amount of \$13,169.

The Director of Public Works and the Police Department worked on identifying and securing an estimate from Sure Line Inc. for painting lines, parking spaces, as well as roadway markings in the Borough. The Borough budgeted \$15,000 for traffic signs and markings, so there are available budget dollars. The Borough Street Department has worked on completing the markings and crosswalks on side streets, so this will focus on parking spots and markings on main corridors. The Street Department, along with the Police Department, will provide traffic control required for the work being done.

Motion carried 6-0.

## **SCHEDULING PUBLIC HEARING AND ADVERTISEMENT 2023-1-CONDITIONAL USE PERMIT, 328 EAST GRANDVIEW**

A motion was made by Mr. Mathew, seconded by Mr. Semel, to authorize the advertisement of a public hearing on Monday, June 26, 2023 to take public comment and action on the application for a Conditional Use permit for the Adaptive Reuse of a Single Family Structure to allow its conversion to Funeral Home. The structure is located at 328 E. Grandview and zoned R-4/C-2, Mixed Use.

Construction of an addition to join the main Funeral Home, located at 324 East Grandview, to the guest house, located at 328 East Grandview, will accommodate two handicap accessible restrooms, embalming room, garage, and casket sales room.

Council must hold a public hearing on this Conditional Use Permit, and this must be done within sixty days of the submission of a complete application. The deadline date is July 15, 2023.

# Minutes of the Borough Council Zelienople, PA

6/12/2023 7:30 PM

Council-Regular

MasterID: 746

On Wednesday, May 17, 2023, the Zelienople Planning Commission reviewed this Conditional Use Permit Application request from Patrick Boylan and has approved, a recommendation to council to schedule and have the necessary public hearing with their recommendation for approval of the Conditional Use.

Motion carried 6-0.

## OTHER BUSINESS:

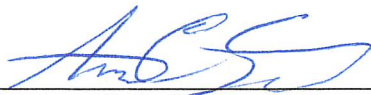
None

**Time of Break (if needed)** Time: 8:06 PM; Return 8:19 PM

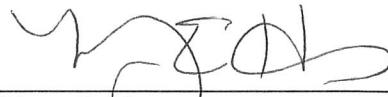
**Executive Session (if needed)** Time: 8:19 PM; Return: 9:19 PM

Being no further business, President Hess closed the meeting at 9:19 PM.

ATTEST:



Andrew C. Spencer  
Borough Manager



Mary E. Hess  
Council President

Approved by me this 26<sup>th</sup> day of June 2023.



Thomas M. Oliverio  
Mayor