

Minutes of the Borough Council Zelienople, PA

6/26/2023

7:30 PM

Council-Regular

MasterID: 748

The June 26, 2023, Council Meeting of the Zelienople Borough Council was called to order at 7:30 PM by Council Vice President Andrew Mathew III 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 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 Andrew Mathew III, Marietta Reeb, Gregg Semel, Doug Foyle, and Mayor Thomas Oliverio. Council Member Allen Bayer attended virtually. Junior Council Member Kyra Fazio was also present. Council Members Mary Hess and Ralph Geis did not attend.

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

EXECUTIVE SESSION:

Mr. Mathew noted that there was an Executive Session concerning a contractual matter at 7:06 PM. Session adjourned at 7:26 PM.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Andrew Spencer.

VISITORS:

In Person: Matt and Jenn Kaufman, Jim and Carol DiSpirito, Jim Hulings, and Lesa Gallagher

Remotely: Mike and Carol Sosak, and LJ

5 Years of Service Award presented to Wayne McLay

PUBLIC COMMENT

Carol DiSpirito requested looking into a district that emphasizes historic nature of structures and preserving that.

Minutes of the Borough Council Zelienople, PA

6/26/2023

7:30 PM

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CONSENT AGENDA:

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

- Minutes of the June 12, 2023, Council Meeting
- Transfer of Funds, \$150,000.00 from the Electric Fund to the General Fund

Motion carried 5-0.

OLD BUSINESS:

CONSIDER RE-APPROVAL OF THE GLADE RUN DEVELOPMENT LOT CONSOLIDATION PLAN

A motion was made by Mr. Semel, seconded by Mr. Foyle to re-approve the Glade Run Development Lot Consolidation Plan.

The 90-day approval period had expired and required re-approval prior to executing and recording the documents. The applicant requested re-approval of the lot consolidation for the Glade Run Development to be located at the southwesterly corner of Zelienople Borough contingent upon:

1. Satisfaction of points of Gannett Fleming review letter February 14, 2023
2. Receipt of all permits
3. Utility approval of the water and electric by the Borough
4. Submission of the Traffic Study
5. Approval of Traffic Study by the Borough
6. Borough approval of pedestrian traffic routing from the site

The 252-acre plot is the future development site of a 411-unit residential development community.

Motion carried 5-0.

NEW BUSINESS:

CONSIDER PROPOSED RESOLUTION #498-23 FOR THE DISPOSAL OF THE WATER TREATMENT PLANT PROPERTY AT 70 HALSTEAD BLVD

A motion was made by Mr. Foyle, seconded by Mrs. Reeb, to approve Proposed Resolution #498-23 for the disposal of the water treatment plant property at 70 Halstead Boulevard. The water treatment plant at 70 Halstead Blvd., Tax Map Parcel Nos. 550-S2-BA33A1 and 550-S2-BA34, was decommissioned over a decade ago, and council had authorized the property be placed out

Minutes of the Borough Council Zelienople, PA

6/26/2023

7:30 PM

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for bid and listed for sale several years ago. Proposed Resolution #498-23 was prepared in accordance with the Borough Code to dispose of the property. The proceeds of the sale of the water treatment plant property will be applied to the Water Fund Reserve account.

A full and true copy of Resolution #498-23 can be found in the Resolution Book.



Borough Manager

Motion carried 5-0.

CONSIDER PROPOSED RESOLUTION #499-23 AMENDING THE ARTICLES OF INCORPORATION OF THE WESTERN BUTLER COUNTY AUTHORITY (WBCA) FOR EXTENDING THE CHARTER

A motion was made by Mr. Semel, seconded by Mr. Foyle, to approve Proposed Resolution #499-23 to amend the Articles of Incorporation of the Western Butler County Authority (WBCA) for a fifty year extension of the Charter.

WBCA's Articles of Incorporation provide for a term of fifty years beginning December 7, 1973. Proposed Resolution #499-23 revises the WBCA Articles of Incorporation to extend the Charter 50 years subject to the following stipulations:

- The WBCA Articles of Incorporation would be modified to require a majority vote by the full members (8) of the WBCA board for projects with expenditures exceeding \$1,000,000 and tied to an appropriately determined index such as the Engineering News Record (ENR) construction cost index.
- WBCA annually allocates approximately \$470,000 to I&I reduction and collection system improvements (sewer rehabilitation program such as CCTV inspections, CIPP lining sewers, and sealing manholes within areas suspected of contributing to I&I). This value shall be escalated yearly using the Engineering News Record (ENR) construction cost index.
- The Borough will enact an ordinance that requires existing customers of the WBCA to inspect their laterals and correct any deficiencies at the time of sale.
- Lateral Ownership – the lateral ownership from the main to the right-of-way line shall be changed to WBCA.

Minutes of the Borough Council Zelienople, PA

6/26/2023

7:30 PM

Council-Regular

MasterID: 748

A full and true copy of Resolution #499-23 can be found in the Resolution Book.



Borough Manager

Motion carried 5-0.

CONSIDER REMOVAL FROM PROBATIONARY STATUS AND MOVE TO REGULAR FULL TIME STATUS FOR CHAD LANG

A motion was made by Mrs. Reeb, seconded by Mr. Foyle, to approve the removal of Chad Lang from probationary status and move to regular full-time status.

Chad Lang was hired on May 31, 2022 on a probationary status as the Borough's Laborer in the Public Works Department. The probationary period has been successfully completed, and he will be removed from probation and placed on Regular Full-Time status. This change in status does not change the pay rate for Mr. Lang, but he will become eligible for merit increases in 2024.

This would be effective as of June 1, 2023.

Motion carried 5-0

CONSIDER A MOTION TO PROMOTE A PART TIME POLICE OFFICER TO FULL TIME POLICE OFFICER STATUS UNDER THE ZELIENOPLE BOROUGH CIVIL SERVICE REGULATIONS

A motion was made by Mr. Semel, seconded by Mrs. Reeb, to approve the promotion of part-time police officer Johnathon Logan Brink to full-time police officer under the Zelienople Borough Civil Service Regulations effective June 30, 2023.

In 2017, the Zelienople Borough Civil Service Regulations were changed to hire part-time police officers under the Civil Service Regulations. This change also included the procedure for promoting a part-time officer who has a least three months of experience with the Zelienople Police Department to a full-time police officer position. On June 14, 2023, promotional testing was conducted by the Civil Service Commission for full-time police officer at the request of Borough Council. The commission established a certified promotional list for full-time police officer on June 21, 2023. Officer Petrie resigned in April, which left the department with an open full-time position.

This promotion is effective June 30, 2023, and his probationary period will continue until March 13, 2024.

Motion carried 5-0.

Minutes of the Borough Council Zelienople, PA

6/26/2023

7:30 PM

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MasterID: 748

CONSIDER AUTHORIZING THE CHIEF OF POLICE TO SIGN AN AGREEMENT WITH THE PENNSYLVANIA ATTORNEY GENERAL THAT WILL PERMIT THE ZELIENOPLE POLICE DEPARTMENT TO PARTICIPATE IN THE PENNSYLVANIA ATTORNEY GENERAL'S DRUG TASK FORCE POLICE

A motion was made by Mr. Foyle, seconded by Mr. Semel, to authorize the Chief of Police to sign an agreement with the Pennsylvania Attorney General that permits the Zelienople Police Department to participate in the Pennsylvania Attorney General's Drug Task Force.

For many years, the Zelienople Police Department has participated in the Butler County and Pennsylvania Attorney General's Drug Task Forces. Participation in each of the task forces is initiated with a formal agreement between the municipal law enforcement agency and Butler County or the Pennsylvania Attorney General. Recently, the Attorney General's office sent a new agreement to the police department for approval. It has been a while since the agreement was updated, and it lists officers who are no longer on the task force. The proposed agreement was sent to our solicitor and labor attorney for review.

Motion carried 5-0.

CONSIDER APPOINTING INDEPENDENT BOROUGH AUDITOR

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

Motion carried 5-0.

CONSIDER APPROVAL FOR THE 30 DAY EXTENSION OF THE REVIEW PERIOD FOR LOT CONSOLIDATION OF 324 AND 328 EAST GRANDVIEW BOYLAN FUNERAL HOME PROPERTY

A motion was made by Mrs. Reeb, seconded by Mr. Foyle, to approve a 30-day extension of the review period for lot consolidation of 324 and 328 East Grandview Boylan Funeral Home property.

The Borough was given a 90-day period to review the lot consolidation plan. The time period expired June 15, 2023. A 30-day extension was needed for the Conditional Use Hearing and Council final review.

Motion carried 5-0.

CONSIDER APPROVAL OF 2023-1-CONDITIONAL USE PERMIT 328 EAST GRANDVIEW

A motion was made by Mr. Semel, seconded by Mrs. Reeb, to approve 2023-1-Conditional Use Permit for 328 East Grandview Avenue.

Patrick Boylan submitted a Conditional Use permit application for the Adaptive Reuse of a Single

Minutes of the Borough Council Zelienople, PA

6/26/2023

7:30 PM

Council-Regular

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Family Structure to allow its conversion to Funeral Home. The structure is located at 328 East Grandview Ave and zoned R-4/C-2, Mixed Use.

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

The Public Hearing was held on June 26, 2023 for the Conditional Use Permit. Findings of Fact shall be issued within 45 days after the public hearing.

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 have the necessary public hearing with their recommendation for approval of the Conditional Use.

Motion carried 5-0.

CONSIDER APPROVAL OF LOT CONSOLIDATION OF 324 AND 328 EAST GRANDVIEW

A motion was made by Mr. Semel, seconded by Mr. Foyle, to approve the lot consolidation of 324 and 328 East Grandview Avenue.

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

Motion carried 5-0.

CONSIDER APPROVAL FOR A 60 DAY EXTENSION OF THE REVIEW PERIOD FOR THE WBCA ADMINISTRATION BUILDING PRELIMINARY LAND DEVELOPMENT APPLICATION

A motion was made by Mr. Foyle, seconded by Mrs. Reeb, to approve the 60-day extension of the review period for the WBCA Administration Building Preliminary Land Development Application.

The Borough was given a 90-day period to review the Preliminary Land Development Application. The period expires June 29, 2023. A 60-day extension was needed for review of the Preliminary Land Development.

Motion carried 5-0.

COUNCIL REQUEST FOR INFORMATION

Council reviewed the monthly request for information spreadsheet and facilities management

Minutes of the Borough Council Zelienople, PA

6/26/2023

7:30 PM

Council-Regular

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schedule with all the items updated as of 6/20/2023. This includes any discussion and removal/addition of items from the previous month.

No action vote was taken.

REPORTS

Committees Reports:

Mrs. Hess: not present

Mr. Semel:

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

Mr. Geis: not present

Mr. Foyle:

- Pension Committee: no report
- Library: no report

Mrs. Reeb:

- Public Safety/Street/Sidewalk/Storm Water: no report
- Historical Society: no report
- Shared Services Committee: no report

Mr. Mathew:

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

Mayor: Noted the Zelienople Bed Derby is on July 6, 2023

- Airport Authority: Noted Jack Bonus passed away and expressed his thanks for his years of service

Jr. Council Person Fazio: Noted that she is working at the Pool and has been participating in lifeguard training and mission work through her church

Manager: Noted that there will be an Electric Committee meeting scheduled

Solicitor: no report

Engineer: no report

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6/26/2023

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Police Chief: no report

Public Works Director: Noted that M & B will be back to town to work next week

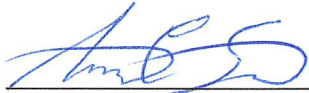
Zoning/Code Officer: no report

Finance Director: not present

Parks and Recreation Director: not present

Being no further business, Vice President Mathew closed the meeting at 8:10pm

ATTEST:



Andrew C. Spencer
Borough Manager



Andrew Mathew III
Council Vice President

Approved by me this 10th day of July 2023.



Thomas M. Oliverio
Mayor