

Minutes of the Borough Council Zelienople, PA

9/25/2023

7:30 PM

Council-Regular

MasterID: 753

The September 25, 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 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 M. Oliverio. Junior Council Member Kyra Fazio was also present. Council Member Allen Bayer did not attend.

Assistant Borough Manager Cindy Edwards, Borough Solicitor Bonnie Brimmeier, Police Chief Jim Miller, Public Works Director Chad Garland, and Borough Engineer Tom Thompson were also in attendance.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Cindy Edwards.

VISITORS:

In Person: Adel Fatur, Joel Grobe, Dan Fritch, and Matthew Edwards

Remotely: DAKA, Mike Sosak, and Carol Sosak

PUBLIC COMMENT

New Borough Police Officer, Matthew Setnar was sworn in by Mayor Oliverio

CONSENT AGENDA:

A motion was made by Mr. Semel, seconded by Mr. Geis, to approve/acknowledge:

1. Minutes of August 28, 2023 Council Meeting
2. Transfer of Funds, \$150,000.00 from the Electric Fund to the General Fund, if needed.
3. Transfer of Funds, \$30,000.00 from the General Fund to the Park Fund, if needed.
4. Receipt of Summary Budget Report

Motion carried 6-0.

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OLD BUSINESS:

None

NEW BUSINESS:

BILLS TO BE PAID

A motion was made by Mr. Geis, seconded by Mrs. Reeb, to accept the "bills to be paid report" for September 25, 2023 totaling \$703,494.51.

Motion carried 6-0.

CONSIDER SPECIAL EVENT PERMIT – ZELIENOPLE LION'S CLUB HALLOWEEN PARADE

A motion was made by Mr. Mathew, seconded by Mr. Foyle, to approve Zelienople Lion's Club Special Event Permit for the Halloween Parade to be held Thursday, October 26, 2023 at 6:30 PM in Downtown Zelienople (High Street, Beaver Street, Main Street, and New Castle 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:

- It is imperative that the Lion's Club coordinate this event with the Zelienople Business Association and their Thursday Night Open Air Market program.
- The Lions Club must also coordinate with the Borough Street Department and all Emergency Services.
- The Lion's Club is responsible to advise all parade participants that throwing candy from vehicles or from the street is strictly prohibited, participants may distribute candy by walking alongside of the curbs and handing it out to spectators.

They requested that Main Street is closed during the entire duration of the event. There will be possible parking restrictions on Main Street between Beaver and New Castle.

The borough will apply for a Special Events permit with PA DOT to close Main Street on their behalf.

Motion carried 6-0.

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CONSIDER SPECIAL EVENT PERMIT – ZELIENOPLE AREA BUSINESS ASSOCIATION (ZABA) FALL FESTIVAL AND MONETARY CONTRIBUTION

A motion was made by Mr. Geis, seconded by Mr. Mathew, to approve a special event permit for the Zelienople Fall Festival to be held from October 13, 2023 through October 15, 2023, from 10:00 AM to 7:00 PM along Four Corners Park, Main Street Sidewalks, Spring Street, Spring Street Park Lot, and E. New Castle Street Parking 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 as well as the following conditions:

- The Fall Festival event coordinators will employ its own Maintenance Team which will oversee the placement of trash receptacles throughout the event area and maintain all public trash receptacles in the festival area in addition to the placement and maintenance of portable toilets and will facilitate the clean-up and tear-down of the event no later than Sunday, October 15, 2023.
- Any tents used on blacktop areas (south parking lot, Spring St., etc.) cannot be secured by pegs/stakes into the blacktop area rather they would be secured by other weighted means.

The following items are permitted:

- A Kick-Off Block Party on the evening of Friday, October 13th between 6pm and 10pm in the Spring Street Parking Lot area. Festivities include a DJ, carnival games, and raffles. Food and non-alcoholic beverages will be available for purchase on site.
- Sidewalk sales, crafters/artists, antique vendors, kids' activities, contests & games, historic encampments, farmers market, organizations, and food vendors to set up and operate booths in the Four Corner Parks, located at Main St. & Grandview Ave, and south on Main St. to Beaver St.
- Use of the South Parking Lot and the closing of Spring Street from Main Street to the exit of the lot. They requested that the Spring Street parking lot be closed completely at 8:00 AM on Friday, October 13th through Sunday evening, October 15th. They are also requested the portion of West Spring Street between Main Street and the West parking lot access road be closed during the same time. It is imperative that access to the driveway behind the building on the South West side of Spring Street is maintained at all times.
- Horse drawn carriage wagon rides and reserved spaces in front of the memorial area (2 parking spaces) if needed. A sanitation procedure and schedule will be implemented, and rides will be limited to single groups or family units.
- Use of the East New Castle Street Lot. Specifically, the use of the concrete pad and parking area for placement of non-food vendors. The ATM lane will remain open and will not be blocked during the event.
- Outdoor music and entertainment in the gazebo and various locations along Main Street during the event.

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The Borough of Zelienople will also contribute \$500.00 for the event.

Motion carried 6-0.

CONSIDER SPECIAL EVENT PERMIT – ZELIENOPLE AREA BUSINESS ASSOCIATION (ZABA) MIRACLE ON MAIN/HOLIDAY PARADE

A motion was made by Mr. Semel, seconded by Mr. Mathew, to approve a special event permit for the Miracle on Main Street and Holiday Parade to be held on December 7, 2023 from 4:00 PM to 8:00 PM in the Main Street business district 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 Zelienople Area Business Association must also coordinate with the Borough Street Department and Emergency Services.
- The Zelienople Area Business Association is responsible to advise all parade participants that throwing candy from vehicles or from the street is strictly prohibited, participants may distribute candy by walking alongside of the curbs and handing it out to spectators.

Plans include the Holiday Parade on Main Street beginning at 6:30 PM. The Borough will apply for the parade permit from PennDOT on their behalf.

Plans are also underway for a Christmas tree at the new East New Castle Street parking lot.

Motion carried 6-0.

CONSIDER SPECIAL EVENT PERMIT – GET FIT FAMILIES REINDEER RACE

A motion was made by Mr. Mathew, seconded by Mr. Foyle, to approve a special event permit for the Reindeer Race to be held on December 16, 2023 from 9:00 AM to 10:30 AM at the Zelienople Community Park provided that the responsible party noted in the application coordinate communications with and be responsive to the Chief of Police and Parks and Recreation 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:

- It is the responsibility of the organization to coordinate the event with the Borough Street Department and all Emergency Services for safety concerns, no later than Monday prior to the event.
- The organization 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 in any intersections. The sponsor

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must gain permission from all property owners to place these signs. Signs must also be removed as soon as the race is completed.

- The organization ensures 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.

They must also receive the necessary approvals from Harmony Borough to use their streets.

Motion carried 6-0.

CONSIDER MINIMUM MUNICIPAL OBLIGATION - POLICE PENSION PLAN

A motion was made by Mr. Geis, seconded by Mr. Mathew, to approve the Minimum Municipal Obligation (MMO) for the Police Pension Plan for 2024 in the amount of \$146,591.

Mockenhaupt has provided the Borough with the 2024 MMO calculation for the Police Pension Plan. The calculation was completed using the actuarial data from the January 1, 2021, valuation as well as data supplied regarding 2023 earnings. It is based upon wages for 9 active participants. The 2024 MMO calculation for the Police Plan is \$146,591. This is an increase of \$3,609 over the 2023 MMO which is \$142,982. The 2024 MMO amount will be what is required to be budgeted as an expense in the 2024 budget. The State Aid in the amount of \$209,803.97 is anticipated on September 27, 2023 will be applied towards the 2023 MMO.

By law, the MMO must be submitted to the Council by the end of September and so noted in the Minutes.

Motion carried 6-0.

CONSIDER MINIMUM MUNICIPAL OBLIGATION - NON-UNIFORMED PENSION PLAN

A motion was made by Mr. Mathew, seconded by Mrs. Reeb, to approve Minimum Municipal Obligation (MMO) for the Non-Police Pension Plan for 2024 in the amount of \$62,168.

Mockenhaupt has provided us with the 2024 MMO calculation for the Non-Police Pension Plan. The calculation was completed using the actuarial data from the January 1, 2021 valuation as well as data supplied regarding 2023 earnings. It is based upon wages for 19 active participants. The 2024 MMO calculation for the Non-Police Plan is \$62,168. This is a slight decrease of \$1,613 over the 2023 MMO which is \$63,781. The 2024 MMO amount will be what is required to be budgeted as an expense in the 2024 budget. The State Aid in the amount of \$209,803.97 is anticipated on September 27, 2023 will be applied towards the 2023 MMO.

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By law, the MMO must be submitted to the Council by the end of September and so noted in the Minutes.

Motion carried 6-0.

CONSIDER AGREEMENT WITH SENECA VALLEY SCHOOL DISTRICT TO PROVIDE FULL TIME SCHOOL RESOURCE OFFICER AT THE CONNOQUENESSING VALLEY ELEMENTARY SCHOOL (CVE)

For approximately the past ten years, the police department has been providing extra police patrols to Connoquenessing Valley Elementary School (CVE) during school hours. The school patrols were conducted with on-duty police officers with the school district reimbursing the department at a set hourly rate for 4 hours per day. Seneca Valley School District has decided to upgrade safety at all district buildings with a full-time school resource officer in each building. Currently, Jackson Township provides three School Resource Officers (SROs) at the high/intermediate/middle school complex. The district has asked our police department and Cranberry to provide full-time SROs at each of the school buildings in our jurisdiction. Based on the current system used for the current SRO's, the district will reimburse the police department 68% of the total cost of an officer. The cost calculations are based on 178 days worked out of 260 standard yearly workdays. The SRO would also be available to our department for 43 to 64 shifts a year depending upon the shift length. The Borough's cost can be offset by the \$46,000 line item in the police budget for part-time officers. The PMC has discussed the SRO program and the agreements have been approved by our solicitor and labor attorney.

Item tabled until next council meeting.

CONSIDER QUOTE FOR FENCE INSTALLATION FOR EAST NEW CASTLE STREET LOT

A motion was made by Mr. Mathew, seconded by Mr. Semel, to approve the quote from Metal Fence Supply in the amount of \$8,800 for the fence installation at the new East New Castle Street Lot.

The In-House Main St. Revitalization Committee has met and discussed future plans for the new parking lot that would enhance the lot to be consistent with the other improvements on Main Street. The concrete block wall at the rear of the parking lot is damaged and, after discussion, it was suggested that a black metal fence, like the one in the center city parking lot behind the Kaufman House, would make an appropriate replacement rather than repairing the masonry wall. The quote for \$8,800 was obtained for this from the same company that has provided services and repairs to the fence behind the Kaufman House. There are funds available in the Street Department Budget that can be put toward this project.

Motion carried 6-0.

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CONSIDER AUTHORIZATION TO PAY INVOICE – RECONFIGURE 4.16KV AERIAL LINE, HARMONY FIRE STATION, S. MAIN STREET

A motion was made by Mrs. Reeb, seconded by Mr. Mathew, to authorize the payment to Slater Electric and Sons for \$49,300.00 for work completed on contract: RECONFIGURE 4.16KV AERIAL LINE, HARMONY FIRE STATION, S. MAIN ST.

Slater Electric and Sons was awarded the contract: RECONFIGURE 4.16KV AERIAL LINE, HARMONY FIRE STATION, S. MAIN ST. for a project cost of \$54,000.00. All overhead line work has been completed for this project. The underground cable to the fire station transform will be done once construction of the building and underground conduits are installed.

Motion carried 6-0.

CONSIDER ZELIENOPLE ELECTRIC SUBSTATION BATTERY BACKUP REPLACEMENT

A motion was made by Mr. Semel, seconded by Mr. Foyle, to approve the purchase of batteries and charger from ALCAD for \$18,555 for the Zelienople Electric Substation.

The Zelienople Substation was built in 2000 and included a battery backup system to allow for the operation during the loss of power to its circuits. Several of the batteries needed replaced in the last several years and the remaining cells are weakening. During the substation testing performed in 2022, it was documented that the batteries are underperforming on the draw down test.

Monies for this project have been approved in the 2023 Capital Budget.

Motion carried 6-0.

CONSIDER ZELIENOPLE ELECTRIC SUBSTATION FEEDER PROTECTION RELAYS REPLACEMENT

A motion was made by Mrs. Reeb, seconded by Mr. Semel, to approve the replacement of the electric substation ABB feeder protection relays with SEL feeder protection relays from RSI-Sales in the amount of \$32,632.26.

The Zelienople Substation was built in 2000 and has ABB feeder protection relays that monitor the feeder circuits and transformers. Over time, the protection relay displays have diminished or have become unreadable. ABB no longer supports these, but SEL makes a direct replacement to the ABB system. The Borough's electrical engineer recommended using the SEL Feeder Protection Relay for the replacement of the ABB feeder protection relay, which is no longer supported. The quote is from RSI-Sales at a cost of \$32,632.26.

Motion carried 6-0.

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CONSIDER M AND B SERVICES PAY ESTIMATE #3 FOR THE ELECTRIC UTILITY UNDERGROUND SERVICE WORK PROJECT

For the Zelienople Borough Electric Utility Underground Service Work Project – Contract 20-02, M and B Services LLC submitted Estimate No. 3 in the amount of \$171,361.26 for consideration.

The work has been completed as noted. Reimbursement will be requested from the DCED grant once paid by the Borough.

Item tabled until next council meeting.

CONSIDER BIDDING THE CONSTRUCTION CONTRACT FOR THE MAIN STREET STORMWATER IMPROVEMENT PROJECT

A motion was made by Mr. Semel, seconded by Mrs. Reeb, to approve bidding the construction contract for the Main Street Stormwater Project.

The Main Street Stormwater Project will extend storm sewers along Main Street from the proposed fire station to culvert Street and from Beaver Street to Clay Street to add capacity to the existing system that is routed under structures along Main Street. These projects are part of the Butler County Infrastructure Program funding received earlier this year.

Motion carried 6-0.

CONSIDER BIDDING THE AMPHITHEATER PROJECT

A motion was made by Mr. Foyle, seconded by Mrs. Reeb, to approve bidding the Amphitheater Project.

The Borough received a DCNR grant for the Amphitheater Project to make ADA improvements to the site. The scope of work is being submitted to DCNR for approval. Once approved, the project is ready to bid.

Motion carried 6-0.

CONSIDER RESIGNATION OF ALLEN BAYER

A motion was made by Mr. Geis, seconded by Mr. Foyle, to approve the resignation of Council Member Allen Bayer, effective September 25, 2023.

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Allen Bayer submitted a resignation from Borough Council and formal action needed to be taken for the record that Borough Council accepts his resignation.

Motion carried 6-0.

CONSIDER APPOINTMENT TO BOROUGH COUNCIL

A motion was made by Mr. Semel, seconded by Mr. Geis, to appoint Spencer Mathew to Borough Council following the vacancy due to Allen Bayer's resignation for term ending December 31, 2025.

Motion carried 5-0, 1 abstention

COUNCIL REQUEST FOR INFORMATION

Council reviewed the monthly request for information spreadsheet and facilities management schedule with all the items updated as of 9/18/2023. 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 they had a meeting on the 20th
- Parks and Recreation: noted the Parks Department will start working on winter events and Comprehensive Plan
- Main Street Revit. (w/ Mr. Spencer and Mr. Semel): no report

Mr. Semel:

- IT: noted the next meeting is October 2nd
- Main St. Revit.: discussed East New Castle Street beautification project and noted that 10 replacement flag poles were approved for the bridge
- COG: no report

Mr. Geis:

- Electric: commented on the quick restoration of power this evening, commending Chad and Rachel
- Bldg./Finance: noted the 2024 budget is on schedule
- Pension: no report

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Mr. Foyle:

- Pension: no report
- Library: no report

Mrs. Reeb:

- Public Safety/Street/Sidewalk/Storm Water: no report
- Historical Society: noted painting occurring on the Historical Society building
- Shared Services Committee: noted a compliment from a resident on Borough Brush Pile Pick Up

Mr. Mathew:

- Water: no report
- Police Matters: noted that there are new body cameras for officers and the donation of old tasers to County ESU
- EMA (w/ Mr. Spencer): noted attendance at PMEA conference and opportunity it gave to learn about EV chargers
- Shared Services: no report
- Fire Dept. Liaison: noted that they had their first meeting on the new fire station also noted the possibility of changing the name of the COG to Southwest Butler COG and that the COG is requesting the appointment of an alternate.

APPOINT GREGG SEMEL AS AN ALTERNATE ON THE HARMONY FIRE DISTRICT COG

A motion was made by Mr. Mathew, seconded by Mr. Geis, to appoint Gregg Semel as an alternate on the Harmony Fire District COG.

Motion carried 6-0.

Mayor:

- Airport Authority: noted David Robertson was appointed to the Airport Authority – appointment will need to come from Council (next meeting)

Manager: not present

Assistant Manager: noted that Randy Hart has offered to restore and perhaps move the firehouse bell

Solicitor: no report

Engineer: no report

Police Chief: no report

Public Works Director: noted that Kalen Bailey graduated from climbing school, and Rachel is a certified lineman (AMP will sponsor her last 2,000 hours)

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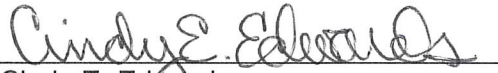
Zoning/Code Officer: not present

Finance Director: not present

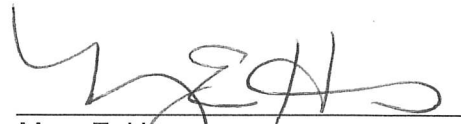
Parks and Recreation Director: not present

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

ATTEST:



Cindy E. Edwards
Assistant Borough Manager



Mary E. Hess
Council President

Approved by me this 9th day of October 2023.



Thomas M. Oliverio
Mayor