

# Minutes of the Borough Council Zelienople, PA

10/9/2023

7:30 PM

Council-Regular

MasterID: 754

The October 9, 2023, Council Meeting of the Zelienople Borough Council was called to order at 7:29 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 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, Ralph Geis, Spencer Mathew and Mayor Thomas Oliverio. Junior Councilperson Kyra Fazio was also present. Council Member Gregg Semel did not attend.

Borough Manager Andrew Spencer, Borough Solicitor Bonnie Brimmeier, Police Chief Jim Miller, and Borough Engineer Tom Thompson were also in attendance.

## **PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Andrew Spencer.

## **VISITORS:**

In Person: Dan Fritch, Christine Patton, Cindy Mellenthin, Jim Hulings, Jim Feath, and Cathy Baker

Remotely: Mike and Carol Sosak, and Cindy

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## **PUBLIC COMMENT**

Administration of Oath of Office for Spencer Mathew

Cathy Baker commented on wanting a sidewalk leading into Timberbrook/Route 68.

## **CONSENT AGENDA:**

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

- Minutes of September 25, 2023 Council Meeting
- Transfer of Funds, \$538,000.00 from the Electric Fund to the General Fund, if needed
- Transfer of Funds, \$40,000.00 from the General Fund to the Park Fund, if needed

Motion carried 6-0.

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## **OLD BUSINESS:**

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

A motion was made by Mr. Spencer Mathew, seconded by Mr. Foyle to approve the School Resource Officer (SRO) MOU/Agreement with Seneca Valley School District to provide an SRO to Connoquenessing Valley Elementary (CVE) School with the understanding that the MOU/Agreement will become valid once it is signed by the Seneca Valley School officials.

For approximately the past ten years, the police department has been providing extra police patrols to 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. The 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 SROs at the high/intermediate/middle school complex. The district 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 SROs, 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 will 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 Police Matters Committee discussed the SRO program, and the agreements have been approved by our solicitor and labor attorney.

Motion carried 6-0.

### **CONSIDER M&B SERVICES LLC PAY ESTIMATE FOR THE ZELIENOPLE BOROUGH ELECTRIC UTILITY UNDERGROUND AND SERVICE WORK PROJECT – CONTRACT 20-02**

A motion was made by Mr. Foyle, seconded by Mr. Mathew, to approve M and B Services LLC Contract 20-02 Estimate No. 3 for the Zelienople Borough Electric Utility Underground Service Work Project in the amount of \$135,172.96.

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

Motion carried 6-0.

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## **NEW BUSINESS:**

### **BILLS TO BE PAID REPORT**

A motion was made by Mr. Geis, seconded by Mr. Spencer Mathew, to accept the "Bills to be Paid Report" for October 9, 2023 totaling \$997,590.74.

Motion carried 6-0.

### **CONSIDER SPECIAL EVENT PERMIT – GREAT PUMPKIN RACE**

A motion was made by Mr. Foyle, seconded by Mr. Spencer Mathew, to approve St. Gregory's Special Event Permit Application for the 13<sup>th</sup> Annual Great Pumpkin Race to be held on October 29, 2023 from 1:30 PM to 6:00 PM along the parking lot of St. Gregory and streets on the west side of Main 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:

- The sponsor must notify any affected neighbors of the road closure on Spruce Street near the church.
- The Borough is agreeing to close the road as stipulated for their event.
- 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.
- The sponsor must 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.
- The sponsor 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.
- The sponsor must 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 ADOPTION OF PROPOSED RESOLUTION #506-23, A RESOLUTION FOR THE DISTRIBUTION OF STATE AID FOR MUNICIPAL PENSION FUNDS**

A motion was made by Mrs. Reeb, seconded by Mr. Mathew, to adopt Proposed Resolution #506-23 to approve the distribution of state aid for municipal pension funds in the amount of

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\$209,803.97.

The Commonwealth of Pennsylvania, under Act 205 of 1985, allocates a yearly amount to be given to municipalities with municipal pension programs and termed "State Aid". This year the Borough received \$209,803.97. The distribution of the State Aid will be made to each pension plan (Police & Non-Uniformed) based upon the unit value calculations. The Borough receives two unit values for each officer in the Police Pension Plan and one unit value for each employee in the Non-Uniformed Plan. The unit value for this year's state aid is \$5827.88/unit. The Police Plan is credited for 18 units (9 employees) and the Non-Uniformed Plan received credit for 18 units (18 employees). The unit calculations are based upon 2022 employment information. The distribution of the aid as such will allocate \$146,022.97 to the Police Pension Plan and \$63,781.00 to the Non-Uniformed Plan.

This year, the Borough received \$3,040.97 more in state aid than the minimum municipal obligation required, so this will be applied to the police pension since the municipal obligation in that pension is significantly more than the non-uniformed pension.

A full and true copy of Resolution #506-23 can be found in the Resolution Book.



Borough Manager

Motion carried 6-0.

## **CONSIDER APPOINTMENT TO THE AIRPORT AUTHORITY BOARD**

A motion was made by Mr. Mathew, seconded by Mrs. Reeb, to appoint David Robinson to fulfill the unexpired term of Jack Bonus on the Airport Authority, ending December 31, 2027.

Due to the vacancy on the Airport Authority Board created by the passing of Jack Bonus, it was necessary for Borough Council to make an appointment to the board for the remainder of the unexpired term, ending 12/31/2027.

At the Airport Authority meeting on September 20, 2023, a motion was made by Tom Surlaski for the Airport Authority to appoint David Robinson to fulfill the term.

Per the Borough's policy for Boards and Commission appointments and as verified by our Borough Solicitor, the Borough should make the appointment for the rest of the unexpired term.

Motion carried 6-0.

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## **CONSIDER THE SALE OF EQUIPMENT**

A motion was made by Mr. Foyle, seconded by Mr. Mathew, to approve the sale of the following items that are no longer in service or have been replaced: Walk behind mower, 60" zero turn mower, used parking meters, used aluminum light poles, portable building/shed, used traffic signals, signal cabinets, water lab equipment, water buffalo.

Motion carried 6-0.

## **CONSIDER ADVERTISING PUBLIC HEARING FOR 2023-2-CU CONDITIONAL USE PERMIT FOR WESTERN BUTLER COUNTY AUTHORITY (WBCA) AT 607 MARKET STREET**

A motion was made by Mr. Mathew, seconded by Mrs. Reeb, to authorize the advertising of a public hearing on Monday, October 30, 2023 for 2023-2-CU Conditional Use Permit for Western Butler County Authority (WBCA) at 607 Market Street.

The Western Butler County Authority (WBCA) submitted a Conditional Use Permit Application for the future administration building and garage to continue its current use as an Essential Service Building. The structure is located at 607 Market Street, Zones C-3 Heavy Commercial District & R-3 Urban Residential District.

The Western Butler County Authority is located at 607 Market Street, parcel # 550-S4-A828. The applicant proposed to construct a new one-story building along Allegheny Street south from their existing facility. The new structure will allow the Authority's administrative functions to relocate to the new building. The construction includes a garage with facilities for the field crew and equipment.

The 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 November 22, 2023. Findings of Fact shall be issued within 45 days after the public hearing.

On Wednesday, September 20, 2023, the Zelienople Planning Commission reviewed and approved this Conditional Use Permit Application request.

Motion carried 6-0.

## **CONSIDER PRELIMINARY APPROVAL OF LAND DEVELOPMENT AND LOT CONSOLIDATION FOR FUTURE SITE OF WESTERN BUTLER COUNTY AUTHORITY (WBCA) SEWER AUTHORITY ADMINISTRATION BUILDING**

A motion was made by Mr. Mathew, seconded by Mr. Foyle, to preliminarily approve the land development and lot consolidation for the future site of the Western Butler County Authority (WBCA) Sewer Authority Administration Building.

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Western Butler County Water Authority is located at 607 Market Street, parcel #550-S4-A828. The applicant proposed to construct a new one-story building along Allegheny Street south, adjacent to their existing facility. The new structure will allow the Authority's administrative functions to relocate to the new building. The construction includes a garage with facilities for the field crew and equipment.

During the September 20, 2023 meeting, the Planning Commission recommended the Western Butler County Authority be granted Preliminary Approval subject to satisfaction of conditions set forth in Gannett Fleming letter September 18, 2023. The Zoning Officer also supported the approval.

Motion carried 6-0.

## **CONSIDER WESTERN BUTLER COUNTY AUTHORITY (WBCA) PROPERTY ACCESS ACKNOWLEDGEMENT**

Western Butler County Authority (WBCA) is expanding its facility and is beginning the process of vacating paper streets in order to consolidate existing lots of land for their land development. Since the Borough owns property along Spruce Steet the Borough has received a property access acknowledgment. As part of this process, they are requesting an acknowledgement form from property owners to indicate their knowledge of the plan to vacate certain paper streets or parts there of in the lot consolidation plan.

Item Tabled per the solicitor.

## **CONSIDER AUTHORIZATION TO ADVERTISE PROPOSED ORDINANCE #888-23 FOR THE VACATION OF STREETS NEAR THE WESTERN BUTLER COUNTY AUTHORITY (WBCA) PROPERTY**

A motion was made by Mr. Mathew, seconded by Mr. Geis, to authorize the advertisement of Proposed Ordinance #888-23 for the vacation of streets and alleys near the Western Butler County Authority (WBCA) property.

Motion carried 6-0.

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

A motion was made by Mrs. Reeb, seconded by Mr. Foyle, to reapprove the Glade Run Development lot consolidation located at the southwesterly corner of Zelienople Borough on the former Glade Run property.

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The County would not record due to an illegible handwritten date on the mylar. The 90-day approval period has expired and required re-approval prior to executing and recording the documents. The applicant requested approval of the lot consolidation for the Glade Run Development to be located at the southwesterly corner of Zelienople Borough. The 252-acre plot is the future development site of a 411-unit residential development community.

The approval of the Glade Run Development lot consolidation is contingent upon:

- Satisfaction of points of Gannett Fleming review letter February 14, 2023
- Receipt of all permits
- Utility approval of the water and electric by the Borough
- Submission of the Traffic Study
- Approval of Traffic Study by the Borough
- Borough approval of pedestrian traffic routing from the site

Motion carried 6-0.

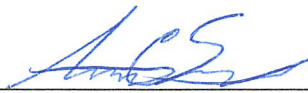
## **CONSIDER RE-APPROVAL OF THE GLADE RUN DEVELOPMENT PLANNING MODULE AND RESOLUTION #508-23**

A motion was made by Mr. Spencer Mathew, seconded by Mrs. Reeb, to re-approve the Glade Run Development Planning Module and Resolution #508-23.

Glade Run Properties proposed a 411 unit-residential development along Beaver Street and Muntz Run Road. As part of this development, PaDEP required that the Borough approve a Resolution and the sewage planning module application.

No changes were made to the original Planning Module or Resolution #496-23.

A full and true copy of Resolution #508-23 can be found in the Resolution Book.



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Borough Manager

Motion carried 6-0.

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## **CONSIDER RESOLUTION #507-23 AUTHORIZING APPLICATION FOR A STATE LOCAL SHARE ASSESSMENT GRANT**

A motion was made by Mr. Mathew, seconded by Mr. Spencer Mathew, to approve Proposed Resolution #507-23 which authorizes application for a State Local Share Assessment (LSA) Grant.

The Borough is seeking a State Local Share Assessment grant to address improvements to the Four Corners Park area. The grant agency requires a resolution to designate the officials to execute all documents and agreements.

A full and true copy of Resolution #507-23 can be found in the Resolution Book.



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Borough Manager

Motion carried 6-0.

### **OTHER BUSINESS:**

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

**Time of Break** Time: 8:02 PM; Return 8:10 PM

**Executive Session** Time: 8:10 PM; Return: 8:58 PM



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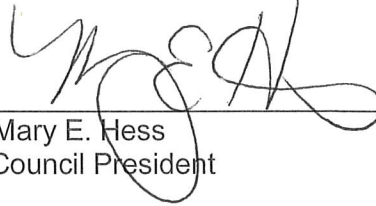
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Being no further business, President Hess closed the meeting at 8:58 PM.

ATTEST:



Andrew C. Spencer  
Borough Manager



Mary E. Hess  
Council President

Approved by me this 30<sup>th</sup> day of October 2023.



Thomas M. Oliverio  
Mayor