

# Minutes of the Borough Council Zelienople, PA

4/8/2024 7:30 PM

Council-Regular

MasterID: 768

The April 8, 2024, Council Meeting of the Zelienople Borough Council was called to order at 7:31 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 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, Doug Foyle, Spencer Mathew, and Dan Fritch. Junior Council Member Kyra Fazio was also present. Gregg Semel attended remotely. Andrew Mathew III, Steve Schoppe and Mayor Thomas Oliverio did not attend.

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

## **PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Doug Foyle.

## **VISITORS:**

Don Pepe, Jerry Andree, and Michael Foreman.

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## **PUBLIC COMMENT:**

No public comment.

## **CONSENT AGENDA:**

A motion was made by Mr. Foyle, seconded by Mr. Spencer Mathew, to approve:

- Minutes of March 25, 2024 Council Meeting
- Transfer of Funds, \$150,000.00 from the Electric Fund to the General Fund, if needed.

Motion carried 5-0.

## **OLD BUSINESS:**

None

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## **NEW BUSINESS:**

### **BILLS TO BE PAID**

A motion was made by Mr. Spencer Mathew, seconded by Mr. Fritch, to accept the "bills to be paid report" for April 8, 2024 totaling \$496,855.44.

Motion carried 5-0.

### **CONSIDER SPECIAL EVENT PERMIT APPLICATION–HARMONY FIRE DISTRICT CAR RAFFLE**

A motion was made by Mr. Foyle, seconded by Mr. Spencer Mathew, to approve the Special Event Permit Application – Harmony Fire District Car Raffle from May 1, 2024 through September 30, 2024 at the Four Cornere Park 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.

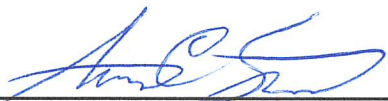
Motion carried 5-0.

### **CONSIDER REQUEST TO APPROVE PROPOSED RESOLUTION #520-24 TO ALLOW THE HARMONY FIRE DISTRICT TO ERECT A BANNER SIGN AT THE 4 CORNER PARK FOR THEIR CAR RAFFLE CAMPAIGN**

A motion was made by Mr. Fritch, seconded by Mr. Spencer Mathew, to approve Resolution #520-24, authorizing the Harmony Fire District to erect a 3 foot by 36 (3' x 36') foot Banner Sign at the Four Corner Park advertising their car raffle campaign on May 1, 2024 through September 30, 2024. This sign would remain from May 1, 2024 to no later than September 30, 2024.

Zoning Ordinance Section 902-1D requires such a request to be approved by Resolution. Proposed Resolution #520-24 was prepared for that purpose.

A full and true copy of Resolution #520-24 can be found in the Resolution Book.

  
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Borough Manager

Motion carried 5-0.

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4/8/2024

7:30 PM

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## **CONSIDER APPROVAL OF REQUEST FROM HARMONY FIRE DISTRICT FOR SANDWICH BOARD SIGN FOR ANNUAL CAR RAFFLE**

A motion was made by Mr. Spencer Mathew, seconded by Mr. Foyle, to approve the request from Harmony Fire District to place a sandwich Board Sign on the concrete pad in Four Corners Park, specifically located where the vehicle is displayed for the annual Fire Department Car Raffle.

Motion carried 5-0.

## **CONSIDER SPECIAL EVENT PERMIT APPLICATION–SKEASTER II**

A motion was made by Mr. Foyle, seconded by Mr. Spencer Mathew, to approve the Special Event Permit Application – SkEaster II to be held on April 27, 2024, from 10:00 AM to 7:00 PM at the Zelienople Community Park skatepark, upper hill, and auditorium 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.

Motion carried 5-0.

## **CONSIDER SPECIAL EVENT PERMIT APPLICATION–GET FIT FAMILIES FIRECRACKER 5K**

A motion was made by Mr. Spencer Mathew, seconded by Mr. Fritch, to approve the Special Event Permit Application – Get Fit Families Firecracker 5K and 1 Mile to be held on July 4, 2024 from 7:30 AM to 9:45 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 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.

Motion carried 5-0.

## **CONSIDER SPECIAL EVENT PERMIT APPLICATION–FISHER'S CRAWFISH BROIL AND FOR TEMPORARY USE OF PARKING SPACES IN THE MUNICIPAL TOWN CENTER LOT**

A motion was made by Mr. Foyle, seconded by Mr. Spencer Mathew, to approve the Special Event Permit Application – Fisher's Crawfish Broil to be held on May 19, 2024 from 12:00 PM to 8:00 PM and the use of parking spaces (178-198) in the Municipal Town Center lot and to have outdoor seating on the sidewalk adjacent to Fisher's 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



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Motion carried 5-0.

## **CONSIDER APPROVAL OF REQUEST FOR OUTDOOR SEATING AND SERVICE FOR THE KAUFMAN TAVERN RESTAURANT**

A motion was made by Mr. Spencer Mathew, seconded by Mr. Fritch, to approve the request from Kaufman Tavern to have outdoor seating and service at various locations around the Kaufman House building, specifically the patio area behind Maddalon Jewelers from April through October 2024 with the following conditions:

1. All necessary Borough and PLCB rules and regulations must also be maintained yearly.
2. The primary area for the Kaufman Tavern's outdoor seating and service is on the concrete pad.
3. There will be a 10:00 pm limit to outdoor seating and service.
4. All pedestrian walkway access must be maintained at the required levels and distances, especially the handicapped six (6) foot criteria.
5. The areas and walkways must be kept clean daily. Given the nature of the walkway stones, all cleaning agents used and how to use them must be consulted with Borough staff. Reason is that the walkway stones seals are porous, and all rainwater and drainage is channeled through them into the stormwater sewer system.
6. All necessary insurance coverage as additional insured.
7. This request is for 2024 and must be requested annually prior to the intended start date.

Motion carried 5-0.

## **CONSIDER THE CANCELLATION OF THE MAY 27, 2024 (MEMORIAL DAY) COUNCIL MEETING**

A motion was made by Mr. Foyle, seconded by Mr. Spencer Mathew, to approve the cancellation of the May 27, 2024 council meeting since it falls on Memorial Day.

Motion carried 5-0.

## **CONSIDERATION FOR ESTIMATE 1 TO THE CONSTRUCTION CONTRACT FOR THE MARKET STREET WATERLINE IMPROVEMENTS PROJECT**

A motion was made by Mr. Fritch, seconded by Mr. Spencer Mathew, to approve W.A. Petrakis Contracting LLC Estimate No. 1 for the Market Street Waterline Improvements Project in the amount of \$235,410.95.

# Minutes of the Borough Council Zelienople, PA

4/8/2024 7:30 PM

Council-Regular

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The work has been completed. We will request reimbursement from the DCED grant once paid by the Borough and the funding will come from the water capital improvement surcharge (CIS) account and once the state reimbursement is received it will be applied to this account.

Motion carried 5-0.

## **CONSIDERATION FOR CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT FOR THE MARKET STREET WATERLINE IMPROVEMENTS PROJECT**

A motion was made by Mr. Spencer Mathew, seconded by Mr. Foyle, to approve W.A. Petrakis Contracting LLC Change Order No. 1 for the Market Street Waterline Improvement Project in the amount of \$8,420.00 with a total project cost estimate for the change order of \$32,200 and a funding draw for this change order from the Water CIS account.

The underdrain portion of the work has been completed for the project. The valve work will be scheduled after approval.

Motion carried 5-0.

## **PRESENTATION AND DISCUSSION ON SOUTHWEST BUTLER COUNTY STORMWATER PLANNING GROUP AND JOINT STUDY COMMITTEE**

A presentation was given on the Southwest Butler County Stormwater Planning Group and Joint Study Committee.

No action was taken.

## **OTHER BUSINESS:**

None

# Minutes of the Borough Council Zelienople, PA

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Being no further business, President Hess closed the meeting at 8:37 PM.

ATTEST:



Andrew C. Spencer  
Borough Manager



Mary E. Hess  
Council President

Approved by me this 29<sup>th</sup> day of April 2024.



Thomas M. Oliverio  
Mayor