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# *Minutes of the Borough Council Zelienople, PA*

6/12/2017

7:31 PM Council-Regular

MasterID:

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The June 12, 2017 meeting of the Zelienople Borough Council was called to order at 7:31 PM by Council President Allen Bayer in the Council Chambers. In attendance were, Council Members, Mary Hess, Ralph Geis, Gregg Semel, Andrew Mathew III, Marietta Reeb and Mayor Thomas Oliverio. Council member Don Burgess was absent.

Borough Manager Donald Pepe, Police Chief Jim Miller, Solicitor Bonnie Brimmeier, Engineer Tom Thompson, Public Works Director Chad Garland and Zoning and Codes Officer Shelly Kaltenbaugh were also present.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mary Hess

## PRESENTATION OF PENNSYLVANIA ASSOCIATION OF BOROUGH AWARDS

Mayor Oliverio presented the PSAB Cecil K. Leberknight Service Award for 10 years of service to the Borough to Councilmember Marietta Reeb and Andrew Mathew III. He noted that Council President Allen E. Bayer and Borough Manager Donald C. Pepe also received this award at the PSAB annual conference.

President Allen Bayer made a presentation of the PSAB Lifetime Achievement Award for 35 years of service to Mayor Tom Oliverio

## VISITORS

Henry O. Ziegler  
Caleb Harshberger-Press  
Matthew Edwards  
Dan Fritch  
Davis Fernglatto  
Laura Roy  
Rick Droyzsinki  
William Jack  
Eugene Bartlett  
Jeff Barkley  
Kathleen Nowaczyk

Anyone else present did not sign in.

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- Eugene Bartlett noted he is the Captain of the Harmony Fire District Fire Police and they are encouraging membership through a revamped membership structure and will report back to council when it is completed.
  
- Jeff Barkley gave report on the progress and situation of the proposed Skate Park project. He updated Council on the amended plan, budget and construction estimates
  
- Kathleen Nowaczyk questioned the billing of the water and electric utility regarding the basic monthly charge and the CIS charge. She complained that she had to pay the full basic charge when she was only in her apartment for part of the billing cycle.

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## CONSENT AGENDA:

A motion was made by Mr. Mathew, second by Mr. Geis, to approve the following:

- The minutes of the May 8, 2017 Council meeting.
- Acknowledgement - April 2017 Budget Reports

Motion carried 6 - 0

## OLD BUSINESS:

### CONSIDER ADOPTION PROPOSED ORDINANCE NO. #854-17, THIRD AMENDMENT TO THE BOROUGH OF ZELIENOPLE POLICE PENSION PLAN

A motion was made by Mr. Geis, second by Mr. Semel, to approve Ordinance #854-17, Third Amendment to the Borough of Zelienople Police Pension Plan.

Motion carried 6-0

### CONSIDER APPROVAL OF MINOR SUBDIVISION APPLICATION FOR LUTHERAN SENIOR LIFE PASSAVANT COMMUNITY

A motion was made by Mr. Semel, second by Mr. Geis, to approve the request for Final Approval for a Minor Subdivision that includes four lots, including: Lot 1, 11,635 square feet; Lot 2, 9,728 square feet; Lot 3, 9,050 square feet; and Lot 4, 8,348 square feet; and a 24 foot access easement. The project

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accesses on Culvert Street, and is bound on the west by South Green Lane, to the north by West Beaver Street and to the east by property belonging to Passavant Retirement and Health Center. The proposed subdivision is located in an R-3, Urban Residential, Zoning District. There are three conditions that are included in this approval and they are as follows:

- Record the access easement, providing a metes and bounds description, with that access easement ending at the lot line between Lot 3 and Lot ;
- Providing a sidewalk along S. Green Lane between Culvert Street and Beaver Street.
- Providing an additional 10' easement along S. Green Lane so that the Borough could widen S. Green Lane in the future.

Motion carried 6-0

NEW BUSINESS:

BILLS TO BE PAID - JUNE 2017

A motion was made by Mr. Mathew, second by Mr. Geis, to authorize the "Bills to be Paid" for the month of June in the amount of \$ 512,954.79.

Motion carried 6-0

APPROVAL OF THE ANNUAL HORSE TRADING DAYS ON JULY 13-15, 2017 AND TO PROVIDE THE ANNUAL SPONSORSHIP CONTRIBUTION AT THE REQUEST BY THE ZELIENOPLE - HARMONY BUSINESS ASSOCIATION

A motion was made by Mrs. Reeb, second by Mrs. Hess, to approve the Administration recommends that Council approve the request for the Horse Trading Days events on July 13-15, 2017. Approval includes the following details.

- Street closings, use of the 4-corner parks, a change in the closing of municipal parking lots, use of the Community Park and hours of operations for the vendors.
- They are again requesting the Borough continue with the placement of an ad in their program for \$100 even though it is not specifically mentioned in the letter.
- In addition, they are requesting the Borough to continue with its annual sponsorship contribution for the concert. In past years the contribution was \$ 3,300 for the concert sponsor and \$100 for the ad,

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totaling \$3,400.

- Parking lot closure for Spring Street lot with the provision that the businesses adjacent to the lot such as the Hardware Store and the Dress Shop be notified so that they can plan accordingly for their patrons.
- Approval of all other events as noted in the letter
- Approval of Horse Parade so that the PennDOT permits may be applied for in time for the event.
- All alley access to business locations must remain open at all times on Spring Street
- All events at the Community Park must be coordinated with the Park Board
- The planners of the Horse Trading Days events must coordinate all activities with Borough Departments, Emergency Services and the Community Park Association.

In addition the following items are included in the motion by request of the Chief of Police

- Make E. New Castle Street One Way from Main Street to High Street
- No parking on W. Grandview between Main Street and Clay Street

Motion carried 6-0.

## CONSIDERATION OF REQUEST TO HOLD THE 2017 TRIATHLON AT THE COMMUNITY PARK

A motion was made by Mr. Mathew, seconded by Mrs. Hess, to approve The Get Fit Families group request to hold the Annual Youth Triathlon at the Community Park on Sunday, June 18, 2017, with the following conditions:

- It is their responsibility to coordinate the event with the Borough Public Works Department and all Emergency Services including the Fire Police.
- 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 or markers of any kind.
- The sponsor must also receive the necessary approvals from Harmony Borough and from the Community Park Board.

Motion carried 6-0.

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## CONSIDER APPROVAL FOR THE 2017 ANNUAL FIRECRACKER 5K RUN CHARITY RACE EVENT

A motion was made by Mrs. Reeb, Second by Mr. Mathew, to the Kampas Orthodontics office sponsored 2017 Firecracker 5K and 1 mile race for the benefit of Community Park, on July 4th, 2017 as submitted. This approval includes the following standard conditions:

- It is their responsibility to coordinate the event with the Borough Public Works Department and all Emergency Services. This applies especially to the Fire Police.
- 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 also receive the necessary approvals from Harmony Borough and the Park Board.

Motion carried 6-0.

## AUTHORIZATION TO PAY INVOICE - H.R.G. - ZELIENOPLE STREETScape PROJECT--MAIN STREET REVITALIZATION

A motion was made by Mr. Mathew second by Mrs. Reeb, to authorize the payment to H.R.G., in the amount of \$427.50 for the payment of invoice #118892 for their additional services relating to the Zelienople streetscape project.

Motion carried 6-0.

## PROPOSED RESOLUTION # 361-17 TO AUTHORIZE THE PREPARATION AND SUBMITTAL OF A GRANT APPLICATION TO THE APPALACHIAN REGIONAL COMMISSION

A motion was made by Mr. Mathew, second by Mr. Geis, to adopt proposed Resolution # 361-17 for authorizing the submittal of the \$250,000 of grant application to the Appalachian Regional Commission.

A full and true copy of Resolutions #361-17 can be found in the Resolution Book.

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Borough Manager

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Motion carried 6-0.

## AUTHORIZE DRAW ON GENERAL OBLIGATION NOTE (G.O.N.) - PAY REQUISITION #3

A motion was made by Mr. Mathew, second by Mrs. Hess, to authorize the submittal of Pay Req. #3 to WesBanco for a draw against the loan. The amount of Pay Requisition #3 is for \$54,372.48 and is for payment of invoices relating to engineering expenses, legal expenses, parking lot signage and transformers related to the Main Street Revitalization Project.

Motion carried 6-0.

## AUTHORIZATION TO TRANSFER FUNDS-MAIN STREET REVITALIZATION - REVITALIZATION WRITING SERVICES

A motion was made by Mr. Semel, second by Mr. Mathew, to authorize the transfer of monies in the amount of \$1,197.00 from the Electric Fund Reserves to the General Fund to cover the payment of invoice #160001-17 to Revitalization Writing Services.

Motion carried 6-0.

## PROPOSED RESOLUTION # 362-17 DECLARING PORTIONS OF THE ZELIENOPLE ZONING ORDINANCE INVALID AND PROPOSING TO PREPARE A CURATIVE AMENDMENT

A motion was made by Mr. Semel, second by Mr. Mathew, to adopt proposed Resolution #362-17 which declares portions of the Zelienople Zoning Ordinance invalid and supports the proposal of preparing a curative amendment.

A full and true copy of Resolutions #362-17 can be found in the Resolution Book.

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Borough Manager

Motion carried 6-0.

## CONSIDER PAY REQUISITION ESTIMATE #7 TO THE CONSTRUCTION CONTRACT FOR THE ZELIENOPLE BOROUGH REVITALIZATION PARKING LOT IMPROVEMENTS - PHASE 2 PROJECT AND APPROVAL OF SUBSTANTIAL COMPLETION CERTIFICATE

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A motion was made by Mr. Mathew, second by Mr. Geis, to approve Terra Works, Inc.'s Estimate No. 7 in the amount of \$27,356.01 and approval of the substantial completion certificate.

Motion carried 6-0.

CONSIDERATION FOR CHANGE ORDER # 8 TO THE CONSTRUCTION CONTRACT FOR THE ZELIENOPLE BOROUGH REVITALIZATION PARKING LOT IMPROVEMENTS - PHASE 2 PROJECT FOR THE FINAL ADJUSTMENT OF QUANTITIES

A motion was made by Mr. Mathew, second by Mrs. Hess, to approve Change Order #8 from Terra Works, Inc. in the amount of \$67,778.00.

Motion carried 6-0.

CONSIDERATION FOR PAY REQUISITION ESTIMATE #4 TO THE CONSTRUCTION CONTRACT FOR THE ZELIENOPLE BOROUGH REVITALIZATION PARKING LOT IMPROVEMENTS - PHASE 2 PROJECT

A motion was made by Mr. Mathew, second by Mr. Semel, to approve Mashan, Inc., Pay Requisition Estimate No. 4 in the amount of \$117,846.00.

Motion carried 6-0.

CONSIDERATION FOR CHANGE ORDER # 2 TO THE CONSTRUCTION CONTRACT FOR THE ZELIENOPLE BOROUGH REVITALIZATION PARKING LOT IMPROVEMENTS - PHASE 2 PROJECT

A motion was made by Mrs. Hess, second by Mr. Semel, to approve Mashan, Inc.'s Change Order No. 2 in the amount of \$7,235.00.

Motion carried 6-0.

CONSIDERATION FOR PAY REQUISITION ESTIMATE #6 (FINAL ADJUSTMENT) TO THE CONSTRUCTION CONTRACT FOR THE 2014 ZELIENOPLE BOROUGH ARC GRANT REVITALIZATION PROJECT AND THE APPROVAL OF THE FINAL COMPLETION CERTIFICATE

A motion was made by Mr. Semel, second by Mr. Mathew, to approve R&B Contracting & Excavation Pay Requisition Estimate No. 6 in the amount of \$25,762.20 and approval of the final completion certificate

Motion carried 6-0.

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## CONSIDERATION FOR CHANGE ORDER # 4 TO THE CONSTRUCTION CONTRACT FOR THE 2014 ZELIENOPLE BOROUGH ARC GRANT REVITALIZATION PROJECT FOR THE FINAL ADJUSTMENT OF QUANTITIES

A motion was made by Mr. Semel, second by Mr. Mathew, to approve R&B Contracting & Excavation Change Order #4 in the amount of (\$55,188.00).

Motion carried 6-0.

## CONSIDER PRELIMINARY/FINAL APPROVAL FOR THE WEST BEAVER LLC (KENSON) LAND DEVELOPMENT

A motion was made by Mr. Mathew, second by Mr. Geis, to approve West Beaver LLC (Kenson Plastics) land development plan for their property located at Market and Beaver Streets for a 2,900 square feet addition onto their existing building. The existing concrete barriers will be removed and placed along the existing building. Based on elevation certificates provided, this wall placement does not impact the 100-year flood elevation.

Motion carried 6-0.

## CONSIDER RELEASING THE CLAY STREET CURB REPLACEMENT PROJECT FOR BID

A motion was made by Mr. Mathew, second by Mrs. Hess, to authorize to advertise the curb replacement project for bid. The curbs will be replaced between Spring Street and Grandview Avenue; approximately 1,165 feet of curb replacement is proposed. This will consist of the east side of Spring Street between Grandview Avenue and West New Castle Street and the majority of both sides from West New Castle Street to Spring Street.

Motion carried 6-0.

## CONSIDER RELEASING THE WINTER MATERIAL STORAGE BUILDING PROJECT FOR BID

A motion was made by Mrs. Reeb, second by Mr. Mathew, to authorize to advertise the Winter Material Storage Building Project for Bid. This is projected to be 30' wide by 50' long pole building which consists of precast concrete walls with a pole building built on top, providing an inside height of approximately 30'. The building will have a 20' wide by 50' long lean-to on the northeast side for storing equipment. The clearing, pre-grading and asphalt will be completed by the Borough staff/subcontractors outside of the scope of the building.

Motion carried 6-0.



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## CONSIDERATION FOR RELEASING THE KAUFMAN HOUSE EXTERIOR UPGRADE PROJECT FOR BID

A motion was made by Mr. Geis, second by Mrs. Reeb, to authorize the Borough Manager to advertise the bidding of this project based upon the specifications prepared and available for use.

Motion carried 6-0.

## CONSIDERATION FOR OPTIONS FOR THE STREETScape PROJECT

A motion was made by Mrs. Hess, second by Mrs. Reeb, to approve black as the preferred color for benches, bike racks and trash cans along Main Street. The cost of the color change on existing accessories on Main Street and the new parking lot needs to be determined due to the color option change. In addition the Gray Herringbone color pattern is the option of choice for the stamped concrete portions of the Main Street contract. Local concrete can match the color as we are told.

Motion carried 6-0.

## CONSIDER CURB CUT AND DRIVEWAY APRON REQUEST FOR KORWIN D. KING - HIGH STREET PARKING LOT

A motion was made by Mr. Semel, second by Mrs. Hess, to approve the request for a driveway, curb cut and the recommended concrete apron at the High Street Parking Lot. The cost will be borne by the property owner making the request.

Motion carried 6-0.

## Formal Acceptance of the Intent to Retire from Borough Employment from Shari Malczak

A motion was made by Mr. Semel, second by Mr. Mathew, with reluctance to formally accept the retirement intent of Shari Malczak effective August 6, 2017.

Motion carried 6-0.

## OTHER BUSINESS:

### FACADE GRANT PROGRAM APPLICATION

A motion was made by Mr. Semel, second by Mrs. Hess, to engage Revitalization Writing Services to

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prepare, on behalf of the Borough, a grant application, support materials, discussion group and Program Guidelines for a total not to exceed \$11,529.00.

Motion carried 6-0.

Being no further business, Council President Bayer then adjourned the meeting at 10:15 PM.

ATTEST:

\_\_\_\_\_  
Borough Manager

\_\_\_\_\_  
Council President

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor