

# *Minutes of the Borough Council Zelienople, PA*

6/8/2009

7:32 PM Council-Regular

MasterID:

371

The June 8, 2009 Council meeting of the Zelienople Borough Council was called to order at 7:32 PM in the Council Chambers by President Charles Underwood. In attendance were Council members Russell Robertson, James Zeigler, George McDowell, Andrew Mathew III and Allen Bayer. Council Member Marietta Reeb was not present. Mayor Thomas Oliverio was also present. Junior Council member Spencer Mathew was also present.

Manager Donald Pepe, Solicitor Matt Racunas, Engineer Tom Thompson and Police Chief Jim Miller were also present.

## PLEDGE OF ALLEGIANCE

Mayor Oliverio led the Pledge of Allegiance

## VISITORS

No visitors present

No public comment

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## CONSENT AGENDA

A motion was made by Mr. Bayer, second by Mr. McDowell, to consolidate the consent agenda items into one motion. It includes:

- Minutes of April 27, 2009 Public Hearing
- Minutes of April 29, 2009 meeting continued from April 27, 2009
- Minutes of April 29, 2009 Special Joint Meeting with Harmony Borough
- Minutes of May 18, 2009 meeting continued from May 11, 2009
- Transfer of Funds-\$100,000 from the Electric Fund to the General Fund if needed
- Acceptance of the Financial Report for April 2009

Motion carried 6-0.

OLD BUSINESS:

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Adoption of Ordinance #795-09, Police Pension Plan (DROP) Provision.

A motion was made by Mr. Bayer, second by Mr. Mathew, to adopt Ordinance #795-09, fourth amendment to the Police Pension Plan to implement the DROP provision.

Motion carried 6-0.

Consider Resolution #165-09 Authorizing Submission of Funding Request through the CDBG-R Program.

A motion was made by Mr. Robertson, second by Mr. Mathew, to approve Resolution #165-09 authorizing Butler County to submit on the Borough's behalf CDBG-R funding through the Community Development Block Grant program. A full and true copy of Resolution #165-09 can be found in the Resolution Book.

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Borough Secretary / Manager

Motion carried 6-0.

Consider Strand Theater Sidewalk Request

A motion was made by Mr. Robertson, second by Mr. McDowell, to approve the Strand Theater request to install a special "Walk of Fame" sidewalk in front of the renovated Strand Theater. The Strand Theater assumes all responsibility for maintenance, repair and safety.

Motion carried 6-0.

Update of Joint Comp Plan Project & Review of Contract with Pashek & Assoc.

A motion was made by Mr. Bayer, second by Mr. Mathew, to confirm the contract with Pashek & Assoc to perform the consultant work for the Joint Comp Plan project with Harmony Borough.

Motion carried 6-0.

NEW BUSINESS

Consider approval of the Bills for June 2009

A motion was made by Mr. Robertson, second by Mr. Zeigler, to approve the Bills to be Paid for June

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2009 amounting to \$420,009.39.

Motion carried 6-0

Consider Request of the Rotary Club to hold the Annual July 4th Parade

A motion was made by Mr. McDowell, second by Mr. Bayer, to approve the Rotary Club request to hold the Annual July 4th Parade and to authorize a \$250 donation to help defray expenses. The Borough will apply for a parade permit on their behalf.

Motion carried 6-0.

Consider Request for Outside Seating at Ztown Cafe

A motion was made by Mr. Zeigler, second by Mr. Mathew, to approve the use of outside seating at the Ztown Café on Main Street. There are also standard conditions that apply as follows:

- Only two (2) tables & four (4) chairs will be located outside the establishment;
- Placement of the tables & chairs will be maintained to ensure that they do not pose an impediment to pedestrians utilizing the sidewalk and the Borough will determine if there is any impediment. If so then the outside seating can be revoked;
- The tables are to be placed inside when the business is closed;
- Tables will not be used for any full service, but rather for patrons to consume items purchased inside at the counter.
- This use is permitted from May 1, 2009 through October 31, 2009 (dates as requested in his letter). A request for any additional time extension would need to be again submitted to the Council.

Motion carried 6-0

Consider Request for Participation in the Fall Electronics Recycling Program

A motion was made by Mr. Robertson, second by Mr. Mathew, to approve the Borough's participation in a Fall Electronics Recycling program. Our financial pledge is not to exceed \$287.50. The Council also includes other commodities in this approval and requests more detail as soon as it is available.

Motion carried 6-0

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Consider CDBG Program Revision for the Zelienople Historical Society

A motion was made by Mr. Zeigler, second by Mr. McDowell, to approve the revision to the 2007 CDBG program to allow for \$3,225 to be used for pre-painting maintenance for the Buhl House.

Motion carried 6-0.

Consider Request for the Creation of a Ladies Auxiliary of the Zelienople Fire Department.

This item was postponed at the request of the Fire Department until another meeting. Council then formally tabled it to another time.

Consider Approval of Change Order #1 for the Community Park ADA Pool House Renovation Project

A motion was made by Mr. Bayer, second by Mr. Mathew, to approve change order #1 to the ADA Pool House Renovation project in the amount of \$2,588. These funds will be used for the following:

- 1.) ADA approved changing room partitions for the women's room
- 2.) ADA approved toilet paper holders
- 3.) 2 additional ADA signs for the pool area denoting "men" & "women"
- 4.) ADA approved women's room sink that was damaged in years past

Motion carried 6-0.

Consider Approval of the Project Inspection and Payment Application for the ADA Pool House Renovation Project

A motion was made by Mr. McDowell, second by Mr. Zeigler, to approve the inspection report and the requested payment of \$52,768 to the contractor for work performed. 10% of the project total (\$5,863) will be held back until final items on the punch list are completed.

Motion carried 6-0.

## OTHER BUSINESS:

Consider Request for use of the Corner Park and Gazebo on Sunday July 12, 2009 by the Park United Presbyterian Church

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A motion was made by Mr. Bayer, second by Mr. Robertson, to approve the request to use the corner park at Grandview and North Main Street and the gazebo on July 12, 2009 from 10:00 AM to 3:00 PM.

Motion carried 6-0

Consider Authorization to Advertise for the Perry Way/Evans Road Waterline Project (BFMA Interconnect)

A motion was made by Mr. Mathew, second by Mr. McDowell, to authorize the Borough Manager to prepare and advertise the Perry Way/Evans Road Waterline Project (BFMA Interconnect) for bids.

Motion carried 6-0.

Consider Free On Street Parking from June 8, 2009 to September 1, 2009

A motion was made by Mr. Bayer, second by Mr. McDowell, to offer free on street parking on Saturdays from June 8, 2009 to September 1, 2009, as suggested by Mayor Oliverio. (This motion in the Minutes shows the corrected language per an amending motion at the 6/29/2009 Council Meeting denoting original motion was for free parking on Saturdays only. The original approval of the 6/8/2009 Minutes omitted word Saturday and was corrected by an amending motion of Council later at the 6/29/2009 meeting), This free parking does not include the municipal parking lots. A vote was taken, the vote was not unanimous. A poll of Council showed the following:

Voting Aye; Mr. Robertson, Mr. Mathew, Mr. McDowell & Mr. Bayer.

Voting Nay; Mr. Zeigler and Mr. Underwood.

Motion carried 4-2

## REPORTS:

Bayer

- HRC will meet on June 10 to discuss the recent police vacancy
- PNT recommends an agreement to the Bargaining Unit and we are awaiting there response.

McDowell

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- No report

Mathew:

- Noted that the water project is well underway with pipe installation
- The Comp Plan Steering Committee met and recommended the scope of services as presented by the consultant and also recommended the contract agreement between the consultant and the Borough

Reeb

- Not present

Zeigler:

- No report
- Requested an Executive Session on property acquisition
- Questioned if there was an ability to retain the dirt fill for use in the borough when the waterline is installed in the borough

Robertson

- No Building and Finance Committee report
- IT committee met and discussed an emergency notification system, Public Television station option for the borough and Improvements to the Zelig Homepage
- He also noted that he is investigating an option which the Borough can consider to provide to Glade Run as an alternative to their Route 19 access plan.

Spencer Mathew

- No comment or report

Underwood

- No report or comment

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Oliverio

- Suggested Council consider a free parking option to assist the businesses on Main Street

Racunas:

- No comment or report

Chief Miller:

- No comment or report

Thompson:

- Will provide data on the financing of the project to Matt for his use.

Pepe

- Requested an Executive Session on a legal issue
- Noted we are proceeding with acquiring information for Council on the financing of the waterline project

A break was given at 9:17 PM and they returned at 9:26 PM.

Council went into Executive Session at 9:26 PM and returned to open session at 10:45 PM

The meeting was adjourned by Council President Underwood at 10:45 PM.

ATTEST:

\_\_\_\_\_  
Manager / Secretary

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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Mayor