BENTLEYVILLE BOROUGH MINUTES
REGULAR MEETING
Monday, November 3, 2014
7:00 pm at the Bentleyville Municipal Complex

The November 3, 2014 Regular Council Meeting of the Bentleyville Borough Council was called to order at 7:00 pm by Stan Glowaski with the Pledge of Allegiance. Roll was called with Councilors Stan Glowaski, Timothy Jansante, William Jobes, Roy Larimer, Robert Paul and Shannon Watson present. Councilor Gary Damich was excused for personal reasons. Also present was Mayor Thomas Brown, Solicitor Dennis Makel and Secretary Kim Sacco.

Business from the floor:
Ms. McAnaulty reported that her sidewalk has been repaired.

Dan Gettings appeared before council. He does not live in Bentleyville but complained about the odor, noise and bright lights at the Pigeon Creek Sanitary Authority facility on Bentleyville Road in Fallowfield Township. The project was supposed to have been finished in July or August is still not complete. Mr. Makel informed Mr. Gettings that the DEP is responsible for it. Mr. Gettings was assured that although the Boroughs authority is limited the secretary can send a letter to the sewage authority reporting a complaint with lights, noise and stench.

Donna Durkoski, owner and operator of Rainbow Bright Cleaning, appeared expressing an interest in cleaning position for the Municipal Complex. She is located in Beallsville.

Stacy Malarkey appeared with an inquiry as to whether or not a hearing scheduled for Thursday regarding a rental property and citation issued by HMT on a deck built on the neighbor's property would still be conducted. Solicitor Makel informed Ms. Malarkey that this would be discussed during executive session and council would respond to her then.

It was moved by Bob Paul and seconded by Roy Larimer to enter into executive session for purposes of personnel and litigation at 7:22pm. All were in favor. The regular meeting was resumed at 8:04 pm, they discussed litigation and police personnel issues.

Ken Johnson, Ms. Malarkey's father expressed concern about the fence around the pool at a neighboring property. He was advised that the Borough would take the appropriate steps to make sure that the Borough Code and ordinances are complied with. The hearing for Thursday has been cancelled

It was moved by Bill Jobes and seconded by Tim Jansante to approve the minutes of Regular meeting on October 7, 2014. All were in favor.

It was moved by Roy Larimer and seconded by Bill Jobes to approve the Treasurer's Financial Report ending September 30, 2014. All were in favor.

Unfinished Business:

It was moved by Tim Jansante and seconded by Shannon Watson to approve the amended Penn Dot Roundabout Landscaping Agreement. All were in favor.

Council is questioning the wording in section 4a of the Lighting Maintenance agreement. After being assured that this is a standard contract council agreed to its previous decision to enter into the lighting agreement with Penn Dot.

The Parking Ordinance was advertised as Ordinance 567 of 2014. A couple of misspellings were noted on the draft provided by the solicitor. The correct spellings of the street are Saulters and Lackawanna. Oliver should be "parking at no time." Saulters Avenue should only be restricted during winter months**. It was moved by** Tim Jansante and seconded by Bob Paul to adopt the ordinance with changes. All were in favor.

The Tax Enabling Ordinance changing the amount LST from $10 for all employees to $52 for employees who earn over $12k per year was advertised as Ordinance 566 of 2014**. It was moved by** Roy Larimer and seconded by Bill Jobes to adopt ordinance #566 entitled Local Services Tax. All were in favor.

It was moved by Tim Jansante and seconded by Bill Jobes to approve the PMRS Defined Benefit Checklist with copies of the same to be provided to all members to update the non uniform plan to comply with the changes in contract. All were in favor.

It was moved by Shannon Watson and seconded by to Bill Jobes to approve the following Technology policies and procedures and all were in favor:

Email use policy
Incident report form, incident handling policy
Internet usage
Mobile device policy
Password policy
Back up policy

Council discussed the status of the sidewalks between 325 and 335 Main Street. Kerry Krider of HMT sent another certified letter on Friday asking the owners to call him. Stan wants to proceed with repairing the sidewalk and liening the property. Bill thinks that we run into the danger of setting a precedent if we do this. The mayor thinks that the property isn't worth the lien that would be placed upon it. 335 Main Street is owned by someone in Greentree, the other is the Norquist family. Kerry Krider should try to call them and then contact the solicitor with the outcome of these conversations.

It was moved by Bill Jobes and seconded by Shannon Watson to accept the Resignation of Custodian, Justena Kinney effective immediately. All were in favor.

It was moved by Tim Jansante and seconded by Bob Paul to accept the letters of interest from possible contractors to fulfill the cleaning requirements: Michelle Rodriguez, Richard Oblak, and Donna Durkoske. All were in favor.

It was moved by Bob Paul and seconded by Roy Larimer to contract with Rich Oblack at the "current compensation" of the resigning custodian. All were in favor.

A request from Robert Starr of Phive Starr Properties to be granted an extension of time to complete the job that has been started was entertained by the board**. It was moved by** Shannon Watson and seconded by Bob Paul to extend the contract with Phive Starr subject to the recommendation of our code enforcement officer with the condition of a fee of $150.00 payable immediately to the Borough of Bentleyville to cover the time of the code enforcement officer. The extension is to begin with today's date and extend for 6 months from today's date. All were in favor. Kerry Krider was asked to make Mr. Starr aware of the extension of time and the fee.

A motion was made to advertise the Borough's intention to adopt the 2015 Budget and the 2015 Tax Rate Ordinance by Roy Larimer, seconded by Bill Jobes. All were in favor.

Jamie Harshman, engineer for Dr. Gosai presented plans for the CNG filling station proposed by Dr. Gosai. The fuel station canopy will appear just like a gas station. A variance has been requested from the zoning hearing board which is scheduled to meet on November 5, 2014. The nearest CNG station to us is north of Pittsburgh. Waste Management operates one in Washington. It is an unmanned station. Computer controls will be housed out of Big Jims Plaza. They are looking at 10 to 20 truck per day volume. It will be open 24 hours per day. There will be down lighting under the canopy. There is no zoning/planning requirement for additional lighting. There are no requirements for buffers or trees although the plans provide a landscaping element. There is a small storm water area with natural plantings. The DEP is not involved because the plot is less than one acre. Vehicles will only enter off Gosai Drive and will circle and reenter the same way. The planning commission recommended that the Borough conditionally approve the plan based on the outcome of the zoning hearing**. It was moved by** Bill Jobes and seconded by Tim Jansante that the Borough grant conditional approval once all fees are paid. All were in favor.

It was recommended by the planning commission that the Borough conditionally approved the Strite Subdivision as long as they follow up with PCSA. **It was moved by** Stan Glowaski and seconded by Bob Paul to conditionally approve the Strite Subdivision subject to having adequate sewage provided. All were in favor.

A letter of interest was received from Dante Sicchitano to serve on the Bentleyville Borough Planning Commission**. It was moved by** Roy Larimer, seconded by Bill Jobes and all were in favor of appointing Mr. Sicchitano to serve on the board.

Chief Young's employment agreement will be completed by the next meeting.

The drainage issue on Mr. Solomon's property was discussed. It is believed that the drain pipe is clogged and Mr. Solomon is reluctant to allow the Borough access to unclog the drain.

It was moved by Roy Larimer and seconded by Bob Paul to authorize Kerry Krider to proceed with condemnation proceedings on 117 Main Street. All were in favor.

It was moved by Bill Jobes and seconded by Shannon Watson to direct the code enforcement officer to review the property next to 117, owned by Dochtenez for stability and possible condemnation. All were in favor.

Rich Rush of Widmer Engineers submitted a report on 321 Main Street. The Borough would need a license to go on the property. The Borough would need a short agreement with property owner to go onto the property to remedy the situation. Some discussion was held regarding the responsibility of the contractor that demolished the house. The secretary was instructed to call Kerry Fox to get a copy of the specs that Redevelopment Authority used to bid out these demolitions. Council will revisit the topic at the next meeting.

It was moved by Roy Larimer and seconded by Bill Jobes to give the Recreation Board $400.00 toward energizing the holiday lights. All were in favor.

It was moved by Bill Jobes and seconded by Tim Jansante to move ½ of the Park Permits since June to the Recreation Board account. All were in favor.

Secretary's Report: Karen Suggs, 308 Oliver expressed her gratitude to the prompt attention to a problem in the alley behind her home.

Recreation Board Report: Christmas at the Park, December 6th.

Solicitor's Report
Mayor's Report: Mayor Brown thanked everyone for the help for the Halloween Parade.
Committee Reports

Building & Borough Properties – Stan Glowaski, Chair
Technology Committee – Bill Jobes, Chair

Bill Jobes recommended that the Borough reimburse the secretary for the purchase of a used printer to work with QuickBooks**. It was moved by** Bill Jobes, seconded by Tim Jansante and all were in favor.

Streets & Bridges – Robert Paul, Chair
Police & Lights – Roy Larimer, Chair $67.71 Pete Daley is interested in contributing toward Christmas Lights, the secretary will be contacting Representative Daley's office with an amount.
Health & Sanitation – Shannon Watson, Chair
Redevelopment – Gary Damich, Chair
Finance & Purchases – Tim Jansante, Chair

It was moved by Bob Paul, seconded by Shannon Watson and all were in favor of paying the bills.

It was moved by Roy Larimer, seconded by Bill Jobes and all were in favor of of accepting the receipts.

It was moved by Tim Jansante to Adjourn the meeting. The motion was seconded by Stan Glowaski and all were very much in favor. The meeting was adjourned at 8:55 pm.

Respectfully Submitted,

_____
Kimberly G. Sacco
Secretary