

**BENTLEYVILLE BOROUGH MINUTES  
REGULAR MEETING**

Held at the Bentleyville Municipal Complex  
Tuesday, April 7, 2015 at 7:00pm

The meeting was called to order by council president Stan Glowaski at 7:00 pm with the Pledge of Allegiance. The secretary took roll call. Councillors Roy Larimer, William Jobes, Stanley Glowaski, Robert Paul and Shannon Watson were all present. Also present were Mayor Tom Brown, Solicitor Dennis Makel and Secretary Kimberly Sacco. Councilmen Gary Damich and Timothy Jansante were excused.

**Business from the floor:**

Marla Stankus appeared before council in her role as Library Board member. Mrs. Stankus was sent by the library board to request additional funding for the library from the Borough. The Library Board is asking each municipality that it services to increase funding by \$500 per year. Council President Glowaski thanked Mrs. Stankus and told her that Council would consider her request under "new business".

Mrs. Nickerson appeared again before council regarding Orchard Alley. Solicitor Makel did have his staff procure court documents from the Washington County Prothonotary's office. There was a declaration of taking as a result of a 1976 law suit. The borough did, at that time, take possession of the alley. Mrs. Nickerson discussed compromise with Mayor Brown and Mrs. Nickerson said that it would be a financial hardship for her to change her current plans for building her shed and driveway. She avers that she absolutely needs that portion of the alley. Mr. Makel feels that Mrs. Nickerson might prevail in court and she should let her attorney proceed. Mayor Brown suggested that Mrs. Nickerson might consider a compromise in order to resolve the conflict with her neighbors.

**It was moved by** Roy Larimer and seconded by Bill Jobes to approve the minutes of the regular meeting held on March 3, 2015. All were in favor.

**It was moved by** Robert Paul and seconded by William Jobes to approve the treasurer's Financial Report ending February 28, 2015. All were in favor.

**Unfinished Business:**

The proposed Junked and abandoned car ordinance was advertised as required. Mayor Brown questioned the fact that the criteria is not steep enough. Solicitor Makel responded by defining the nuisance in fact versus a nuisance per say. The laws have changed and the Borough cannot remove a vehicle for just being out of inspection or beyond registration, it has to, in fact, be a nuisance. The property maintenance code might enable the Borough to get rid of vehicles that are abandoned without being dangerous. **It was moved by** Bob Paul and seconded by Shannon Watson to adopt

Ordinance 572 of 2015 Motor Vehicle Storage Ordinance. All were in favor.

**It was moved by** Bill Jobes and seconded by Roy Larimer to adopt Resolution 2 of 2015 establishing a fee schedule for Bentleyville Borough. All were in favor.

Other Unfinished Business

**It was moved by** Robert Paul and seconded by William Jobes to transfer parcel number 040-060-00-02-0001-01 from Bentleyville Borough to the Bentleyville Public Library. All were in favor.

**New Business:**

**It was moved by** Roy Larimer and seconded by Shannon Watson to authorize the secretary to enter into the DGS Costars Statewide Contract for Sodium Chloride for 2015 to 2016. As per the recommendation of the road committee and the road supervisor the Borough would contract for another 200 ton participation agreement. All were in favor.

The Borough received a letter from Zoning Hearing Board granting the variance for Ave Maria Parish, pursuant to Sections 702 and 1302.2 of the Bentleyville Borough Zoning Ordinance, thereby allowing setbacks of 12 feet for the building and 0 feet for the covered entrance; also granting relief of parking requirements as proposed in their duly submitted site plan.

The Borough received a letter from FEMA regarding final flood hazard determinations and draft ordinance. Every 10 – 15 years feds require a flood management ordinance. HMT has a draft of an ordinance and will send to FEMA. Mr. Kerry Krider will get a draft to the solicitor to look at.

PNC Bank has been charging the Borough a \$20.00 monthly fee per account. The Borough has two accounts at PNC. **It was moved by** Shannon Watson to change the Impact Fee Account and the Local Share Account from PNC Bank to Charleroi Federal Bank, Roy Larimer seconded the motion. All were in favor.

**It was moved by** Bill Jobes to increase the monthly donation from the Borough to the Library from \$150 per month to \$200 per month. The motion was seconded by Shannon Watson. All were in favor.

Secretary's Report:

**It was moved by** William Jobes and seconded by Roy Larimer to authorize the secretary to lease a water cooler for the kitchen at the cost of \$1.99 a month and \$2.89 per 5 gallon jug through WB Mason who has acquired a state contract. All in favor.

Tri County Borough Association Banquet will be held on May 9, 2015 at the Sons of Italy in Brownsville. Tickets are \$15 per person.

The Borough is involved in a Law Suit against the Recorder of Deeds Office and Portnoff filed by Jan Ondra etal. Dennis will file a preapice giving notice of his appearance on behalf of the Borough. The Borough should not be concerned.

Code enforcement Report:

**It was moved by** Bob Paul and seconded by Bill Jobes to remove the refuse and lein the property on Locust Street owned by Cherok for the cost incurred. All were in favor.

Kerry Krider needs to send an email to Dennis Makel regarding the signs at Charleroi Federal that were erected without a permit.

Final notices were sent out for sidewalks. Solicitor Makel provided procedure to lein the properties.

Gary Damich arrived at 8:03pm.

**A motion was made by** William Jobes to order the demolition of that structure situated at parcel number 040-033-00-00-0015-00 on the basis that the owner, Mr. John Solomon never filed for building application and that the Borough retained jurisdiction thereof. The motion was seconded by Shannon Watson. All were in favor.

**It was moved by** Bill Jobes and seconded by Robert Paul to direct the Solicitor to send a letter to Mr. Solomon advising him of the board's decision. All were in favor.

Bob questioned the drainage on Mr. Solomon's property. Roy Larimer **made a motion**, seconded by Bill Jobes authorizing Solicitor Makel to send a letter to to Penn Dot advising Penn Dot of the DEP concerns of hazardous material on the Solomon property and that council will take no further action. All were in favor.

Regarding the Dotchenez property that was posted to be condemned, Dennis will contact John Petrisek to have him contact Kerry Krider to determine what his client intends to do.

Kerry Krider recommended a "Spring" drive through on code enforcement things to be taken care. Gary and Shannon should be included.

Ken Carlisle has never filed a grading permit. Matt Golden, at the soil conservation district, needs to be contacted. It was recommended that Kerry Krider send Mr. Carlisle a cease and desist order.

Recreation Board Report:

Solicitor's Report: None  
Mayor's Report  
Committee Reports

**Building & Borough Properties** – Stan Glowaski, Chair. Gene Vittone said Ron Sicchitano has a key to Carmel Park, we need to get it from him.

**Technology** – Bill Jobes, Chair Printer and Scanner were purchased, Office 365 was purchased and needs to be installed. He has a meeting at the end of the week with Atlantic Broadband to discuss changing phones and internet. Shannon is still working on the Facebook Page.

**Streets & Bridges** – Robert Paul, Chair. Storm sewers by Reds Garage collapsed. Penn Dot will be replacing the main line but the borough workers will replace the pipe on the side. Bob also reported that the Borough is in need of a new bucket for the backhoe. They are to get estimates.

**Police & Lights** – Roy Larimer, Chair \$42.46 for meters. Nick Richards put his resignation in.

**Health & Sanitation** – Shannon Watson, Chair Clean up day is May 30<sup>th</sup>, Westmoreland Cleanways, will take our electronics at no charge, we need to deliver them. A roll off could be provided for \$150 from Waste Management. FITS can send a small crew on the 30<sup>th</sup>, she is waiting to hear from them to see what the next step is. The Borough needs to contact Penn Dot to acquire plastic bags and gloves. We need to advertise on Facebook or through flyers. Garbage from tavern ends up at the post office. Kerry will talk to the Tavern

Owners.

**Redevelopment** – Gary Damich, Chair

**Finance & Purchases** – Tim Jansante, Chair

Other Business

**It was moved by** Bill Jobes, seconded by Bob Paul to accept receipts. All were in favor.

**It was moved by** Roy Larimer and seconded by Bill Jobes to pay the bills as presented. All were in favor.

**It was moved by** Bill Jobes, seconded by Shannon Watson to adjourn. All were in favor. The meeting was adjourned at 835pm.

Respectfully Submitted,

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Kimberly G. Sacco  
Secretary