

Patterson Township Board of Commissioners

Regular Meeting

Thursday, April 10, 2014

The Patterson Township Board of Commissioners held their regular meeting on Thursday, April 10, 2014 at 7:00 p.m. at the Municipal Complex, 1600 19th Avenue, Beaver Falls. Following the call to order and Pledge of Allegiance led by President Policaro, roll call showed all Commissioners present (Policaro, Bradow, Hoover, Inman and Mahosky).

(Note: Township Secretary was absent. Attendance and notes taken by Mrs. Seery, Administrative Assistant).

Minutes: The minutes of the Agenda (Pre) Meeting and Regular Meeting, held Thursday, March 13, 2014, were presented for approval. Motion was made by Mr. Inman; seconded by Mr. Mahosky approving as presented. Passed unanimous.

Public Comment: None

Treasurer's Report: The Treasurer's Report was submitted for the General Fund, Sewer Fund, and Other Accounts. Motion was made by Mr. Bradow to accept the written reports as received. Seconded by Mr. Mahosky, he requested a report from Mrs. Ferrazzano regarding the status of the per capita tax roster for next month's meeting. Motion passed unanimous.

Monthly Bills: The monthly bills for March / April were presented for approval. Motion was made by Mr. Hoover; seconded by Mr. Inman approving payment. Motion passed unanimous.

Engineer's Report: Mr. Larry Lennon, Jr., LSSE submitted the written monthly report and provided the following information:

Darlington Court – Punchlist items remain. No change

2014 Road Program – Waiting for the Township to select roads for the road program. Once done, the bid documents will be prepared.

2013 Road Program – Restoration work is still pending. A 10% retainage was held to complete in the Spring.

2011 Road Program – Contractor (Youngblood) signed an Agreement to complete repair by June, 2014.

MS4 Program – LSSE to forward a draft of DEP Model Stormwater Management Ordinance in the next couple of months.

Darlington Road Sidewalk – Meeting was held with PennDot (March 27, 2014) to review what is needed from them if grant is received. PennDot indicated project could be

broken down into 3 separate HOP submittals. Once funding/grant is secured options on submission and phasing can be reviewed by Township and LSSE.

Mr. Bradow questioned Mr. Lennon regarding Darlington Court's punchlist items. He wanted to know if they are minor items and if they will be renting or selling soon. Mr. Lennon advised that they are minor items. Mrs. Seery advised the Board that there is at least one tenant that has moved in as per paperwork sent up from the water authority.

Solicitor's Report: Mr. Fawcett reported the advertising of Ordinance #440 for adoption at tonight's meeting. This Ordinance is required for the Joint Generator Project, which includes the DCED required Intergovernmental Agreement between Patterson Township, White Township, Patterson Heights Borough, and Fallston Borough for the purchase of an emergency generator for the EOC (Emergency Operations Center). Motion was made by Mr. Hoover; seconded by Mr. Mahosky approving Ordinance #440; passed unanimous on a roll call vote.

Mr. Mahosky posed a question to Mr. Fawcett regarding the parking of a police vehicle on school property or adjoining street on an irregular basis and what the legal implications may be. The idea is to give the appearance of a police presence at or around the school. Mr. Fawcett advised that if it is not on school property and legally parked, it should be okay. He questioned whether the school approved parking it on their property. He noted that he would give it some thought for any issues that may arise; other than of an insurance nature.

Committee Reports: Fire/Utilities – Mr. Mahosky submitted the monthly fire reports for March. The total was \$624.00 representing 19 fire calls (96 man hours). Motion was made by Mr. Hoover; seconded by Mr. Inman approving payment. Passed unanimous.

Mr. Mahosky provided an update on the Sidewalk Grant Project that was applied for through the Community Development Block Grant Program. The Township has 31% poverty level and 52% is needed to qualify. However, he did report that the area between 4th Street and 7th Street may qualify under architectural barriers applied for and that the grant funds may be coming.

Mr. Mahosky announced that the Blackhawk School Board will be discussing at their meeting tonight, use of a Patterson Primary school building for active shooting training. Additional training sessions were announced: Emergency Management Route Alerting Drill – April 23rd; May 28th EOC Staff training meeting at 6:30 p.m.; and Beaver County Emergency Drill – June 17th.

Mr. Mahosky advised of looking into making repairs to the windows at the firehall, which are in bad shape. He is looking into wrapping aluminum around the window frames. He estimates the cost to be approximately \$1,500.00, of which he will better prepared to submit at the next meeting.

Mr. Mahosky advised the Board of knowledge that the Bradys Run Dam has become a hazardous dam in that the structure is hazardous. DEP has made that decision and the Fire Department has been advised of this in the event something happens to the dam.

Parks/Recreation – Mr. Hoover advised the Board of working with an Eagle Scout, Sean Galbreath, from Patterson Heights, who is a Junior at Blackhawk High School. He is interested in doing a project in the Township Park on 8th Street Hill. Mr. Hoover walked the park with Sean and his Father yesterday to come up with items to do. Mr. Hoover will be working with Sean in the future regarding this project.

Mr. Hoover also noted that with the weather improving, he is going to pursue Mr. Bradow's recommendation to relocate the Township Park sign towards 8th Street in order for it to be more visible to our residents.

Mr. Hoover reported that baseball season is starting, which brings about activity at the recreational area behind the school. He will be working with BAYBA (Blackhawk Area Youth Baseball Association) to make some improvements this year as well (follow-up to batting cage project).

Mr. Hoover also advised that he is looking into an Ordinance change (with Mr. Bradow) to allow for campfires for overnight camping in the Township Park. He would like to accommodate overnight camping, particularly for the Boy Scouts. Mr. Policaro questioned whether the Township could include allowing residents to have recreational burning (i.e. fire pits, chiminia's, etc. since our current Ordinance only allows burning Tuesdays and Saturdays until 6:00 p.m. Mr. Bradow noted that he thought there was already provisions in the current Ordinance regarding recreational burning. It was discussed to cover all regulations for burning regarding the Township Park, recreational burning, etc. if there is to be an amendment to the burning Ordinance. Mr. Bradow will pursue reviewing the current Ordinance.

Mr. Inman made reference to information he provided to Mr. Hoover at the pre-meeting (particularly page 2) regarding the Township Park. The information suggested Mr. Hoover contact the Western Pennsylvania Conservancy who may be able and willing to assist with projects in the park. He made reference to Raccoon Creek State Park, where the WPC assisted with a wild flower preserve. Mr. Hoover noted working with Mr. Inman regarding the walking trails, as he provided some maps and documents to better identify where the Township property is. These efforts are being made to see if there is a way to connect the Township Park with Beegle Hill and with Bradys Run Park. Mr. Inman provided examples of what he was told the Western PA Conservancy helped with and suggested it may be an avenue to take for assistance. Mr. Hoover reported talking with Joe Cipolla (Public Works Foreman) in an effort to locate the pins in the park, in order to move forward with a vision on where the property lines are. He requested they be painted. Mr. Inman suggested future projects from handicapped ramps to the location of a restaurant in the area.

Public Works: Mr. Inman advised of attending a demonstration at the Spring Conference on “UPM”, which is a high performance fill that outlasts the surrounding pavement. He requested the representative attend a Township meeting to give a demonstration. This product is used instead of cold patch and is viewed as a permanent fix, not a temporary one. Additionally, Mr. Inman requested him to bring “cold flow” to demonstrate. Cold flow is a portable crack filler that is mounted on the back of a pick-up truck. The unit costs \$3,000.00. The material is bought in 55 gallon drums and has no heat to it. Mr. Inman noted that there are new techniques out there and will keep the Board posted on when he is coming.

Mr. Inman advised that in conjunction with the MS4 Program, which addresses storm water management, he suggests keeping excess salt (from winter maintenance) out of the Township storm system. In order to do this, he suggested a street sweeping program. He provided a proposal from Tri-State Maintenance in the amount of \$2,222.00. Mr. Policaro questioned whether Mr. Inman requested a proposal from the City of Beaver Falls. Mr. Inman advised that he didn’t get a proposal from Beaver Falls. He recalled using them many years ago and wasn’t satisfied with the job that was done. He agreed to get a proposal from them for the next meeting to compare pricing.

Mr. Inman requested hiring two part-time workers for summer help. He presented Nick Martin, 1716 21st Avenue, who worked for the Township last summer and Nathan Reese, 1405 W. 9th Street. He put the request in the form of a motion to hire them as part-time summer workers. Mr. Bradow questioned what they would be used for. Mr. Inman noted they would be used for blacktopping, grass cutting, general laborers. Anything that would need to be done under Public Works. It was pointed out that the applicant, Nathan Reese, is the son of Gwen, Billing Clerk. Mr. Inman advised that he was unaware of the relationship. In order to discuss the motion, Mr. Bradow seconded it. Mr. Hoover questioned what line item that this would be taken from and whether the amount can pay for two part-time workers. Mr. Inman noted that there is a part-time line item in the General Fund Public Works budget, but did not have his budget with him. Mr. Hoover advised, as the former Commissioner in charge of Public Works, that Nick Martin worked last summer and was used in the Township Park, as well. He noted that he has several projects that he wants to do and expressed the part-time summer workers should be used where needed. He was advised that Mr. Inman only wants to employ them for the Public Works Department. Mr. Inman suggested that Mr. Hoover hire summer employees and pay from the Parks budget. Mr. Hoover advised that he does not have the budget amount for this. The budget was discussed in depth. Mr. Bradow made the motion to table until the May meeting to determine costs and where to pay from. Seconded by Mr. Mahosky, motion passed four ayes; 1 naye (Inman).

Mr. Inman provided a report (map/drawing) of a review made of all of the Township streets/roads, whereby he, along with Mr. Cipolla drove these roadways and coded where the potholes are, where the worse streets are, along with the conditions of the road. He noted the worse streets in the Township are Book Avenue, 10th Street, and a section of Highland Avenue. He advised that the second worse road(s) in the Township are Fox Avenue and Ray Street. He also noted the streets that are in need of repairs (coded in yellow), which would entail patching

or tar/chip. Mr. Inman suggested doing Book Avenue, (as recommended last meeting). It meets with the budgeted amount; and he noted only doing Book Avenue. He made reference to his map (drawing) and advised that by doing this, it will allow him to look for alternatives on some of the other roadways for next year.

Mr. Policaro advised that, before the Board decides on what roads to pave, he wants to settle the 18th Avenue paving project. Mr. Inman advised that he has included the 18th Avenue joint paving project with Beaver Falls in the recommendation previously (paving Book Avenue). The costs are included. Mr. Policaro deferred to Mr. Fawcett, who indicated that an intergovernmental agreement isn't necessary. The Township and City of Beaver Falls are only entering into a one-time agreement for this paving project. Mr. Fawcett noted that it is his understanding that the City of Beaver Falls bid the job, according to bid requirements. Mr. Inman brought Mr. Fawcett up-to-date regarding the discussion held at the pre-meeting. This project was not put out-for-bid, it was an add-on to last year's program and was started under the direction of City of Beaver Falls Public Works Supervisor, Bruno Gratteri. Mr. Hoover posed a question to Mr. Fawcett, noting if Beaver Falls oversees this paving project, whether it be as an add on, not put out for bid, illegally done, and the Township has agreed to share in the cost (Township portion); \$15,000.00, what liability does the Township have. Mr. Fawcett advised that he does not have the knowledge on the contract and the basis they are using to do this project and offered to contact their Solicitor if need be. He noted that he can't say whether they are doing this correctly and that there may be an issue if Liquid Fuels money is used and the project comes into question. Mr. Hoover reminded the Board and Mr. Fawcett that we do have \$100,000.00 allocated in the General Fund for the 2014 Road Program. Mr. Fawcett advised that if the joint paving project is paid for from General Fund, the Township removes the concern from the Liquid Fuels Audit, when it is done. Mr. Inman advised that he has never been shown a bid; it has only been a written estimate. When he met with Steve Johnson, City Manager, he advised that it still needed to be put out for bid. Mr. Fawcett advised that if the City does the paving in a proper manner, there is no concern. If Liquid Fuels money is used, and it is not done properly, there could be a problem. If General Fund monies are used to do this project (on the Township end), Mr. Fawcett advised that the Township still has a fiduciary responsibility to see that the Township funds are spent appropriately. He also noted that he cannot say that there is no exposure if Beaver Falls does not do this project correctly. Mr. Bradow noted that ignorance of the law is no excuse. Mr. Fawcett agreed and noted that this is the first he is hearing of the details of what Beaver Falls is doing and questioned why it is coming up now. Mr. Policaro advised that the paving project started and was stopped because it was unsure as to whether it was properly bid. Youngblood Paving (contractor) cleaned up and left, which leaves the project hanging. Mr. Policaro noted that the question still remains on what to do. Pay Township share, intergovernmental agreement, request Beaver Falls to provide proof of bidding? Mr. Fawcett questioned why the Township can't do this paving as part of the 2014 Road Program. He was advised that the location is on the border between Patterson Township and Beaver Falls. Half of the roadway between 15th and 17th Street will be shared costs; while Beaver Falls plans to continue on a little farther at their costs.

Mr. Policaro reported discussing this at length for two meetings now and felt it appropriate for the Township to take some action regarding this. Mr. Hoover made the motion to approve \$15,000.00 for the paving of 18th Avenue, from 15th Street to 17th Street, with the City of Beaver Falls entrusting that they will do this project properly/legally. Included in the motion is to pay from the General Fund (Streets/Alleys) not Liquid Fuels. Seconded by Mr. Bradow; the motion passed unanimous on a roll call vote.

Mr. Inman requested taking the balance from the General Fund (\$85,000) and the monies in Liquid Fuels to pave Book Avenue as the 2014 Road Program. The estimate provided by LSSE was \$126,088 for an inverted seal. Upon expressing that this is the affordable program, Mr. Inman made the motion to proceed and put the program out for bid. Mr. Bradow seconded the motion to get it to discussion then a vote. Prior to the vote, Mr. Bradow expressed that he feels that paving 11th Street and 16th Street are more important, as they are the high traffic areas. There are less residents served by paving Book Avenue. Mr. Hoover also reiterated his position of last month that he will not support going back into the Struby Plan, by paving Book Avenue. He will support a paving project in another area of the Township to spread out the work being done on Township roads. Mr. Inman advised that he proposed one thing to begin with, not doing a survey. He was shot down and was told by this Board that they were trying to complete the Struby Plan. He changed his thinking and got proposals for Book Avenue. Not being approved last month, he decided to take the politics out of the decision making and survey the roads objectively and their conditions. Mr. Inman expressed that if the members of the Board don't feel that he has done that, it's their problem and that he has done his best. Mr. Mahosky questioned whether there are additional funds in the budget (or PLGIT) that can be taken to do a larger road program. Mr. Inman noted that the funds are not there. Mr. Policaro called for a vote. Bradow, Hoover, Mahosky voted no.

Ordinance/Policies – Mr. Bradow distributed an incident/accident report form for employees for review by the Board, with a couple of comments included. He requested the Board's final comments within two weeks. He also distributed information on free radon kits that are available to residents through a web-site. He requested this information be included in the monthly sewer bills to residents.

Code Enforcement – In the absence of Mr. Morrow, his monthly report for March was distributed for review. Mr. Mahosky questioned the mounds of dirt and trucks parked in the area of Route 51 (Mansell's). He wants a report back from Mr. Morrow.

Police/Township Office/COG – Mr. Policaro advised that he did not attend the COG Meeting last month. The monthly Police Report was distributed for review.

Mr. Tom Reed, Civil Service Chairman has been contacted to proceed with testing for part-time police officers. Mr. Policaro explained the need for hiring part-time officers. Mr. Mahosky advised the Board that he provided Chief Cindrach with the eligibility list that was posted in October, 2012. The Civil Service rules allow for a one-year extension past the posting. Chief Cindrach has the applications and is reviewing.

Motion was made by Mr. Hoover; seconded by Mr. Inman approving all **Committee Reports** as presented. Passed unanimous.

Unfinished Business: A letter/check was received from White Township representing the last payment of \$5,000.00 for the 2007 Steffin Hill Sewer Project.

Mr. Hoover mentioned the action taken at last month's meeting requesting a memo be sent to the Department Heads regarding having the costs prior to coming to the Board for approval of purchases. He requests that the Commissioners also follow this.

Township Agencies: No report.

Communications: The State Auditor General's Liquid Fuels Audit Report from January, 2011 through December, 2013 was received.

New/Miscellaneous Business: An invoice was received from the City of Beaver Falls Water Pollution Plant in the amount of \$63,439.05. This invoice is for the 1st Quarter, 2014 joint sewer users. Motion was made by Mr. Bradow; seconded by Mr. Mahosky approving payment. Motion passed unanimous.

Adjournment: There being no further business to be brought before the Board, motion was made by Mr. Bradow to adjourn the meeting. The meeting adjourned at 8:30 p.m.

Respectfully submitted:

Paula J. Wagoner, Township Secretary

Meeting attended/recorded/notes taken by:

Tina L. Seery, Administrative Assistant

Copy: Mr. Kenneth Fawcett, Esq.
Mr. Larry Lennon, Jr., P.E.
Commissioners