

**Patterson Township Board of Commissioners**  
Regular Meeting  
Thursday, August 11, 2011

The Patterson Township Board of Commissioners held their regular meeting on Thursday, August 11, 2011 at 7:00 p.m. at the Municipal Complex, 1600 19<sup>th</sup> Avenue. Following the call to order and Pledge of Allegiance, roll call showed Commissioners Leiper, Bradow, Policaro, and Hoover present. Mrs. Bonomo was absent.

The minutes of the previous meeting held July 14, 2011 were presented for approval. Motion was made by Mr. Hoover; seconded by Mr. Policaro approving the minutes as presented. Passed unanimous.

**Public Hearing:** Mr. Leiper advised the Board of the need to hold a public hearing for the zoning amendment – Ordinance #432 regarding the adoption of new regulations for electronic signs and revisions to political signs. Upon opening up the public hearing for discussion and questions, it was noted that there was no public in attendance to question this Ordinance. A question was raised; however by Mr. Hoover concerning feedback from the Township Planning Commission, who had originally misinterpreted the size for political signs to be 4 x 4 instead of a maximum of 4 sq. ft. The Secretary noted that this has been corrected and the minutes of their meeting have been distributed indicating this. At this point, Mr. Leiper closed the public hearing. Adoption will be done during the Solicitor’s report.

**Public Comment/Visitors:** Mr. Sean Stiefel, 19<sup>th</sup> Avenue did not attend. Mr. Leiper reported hearing from Mr. Mark Bibby, 1025 School Street, who was unable to attend tonight’s meeting. Mr. Bibby’s request, to make School Street one-way, due to excessive speeding on this street, was referred to Chief Cindrigh. Chief Cindrigh noted that there are 15 mph signs posted on the street from many years ago when the “old school” (presently apartments) was a school. They have never been taken down. Chief Cindrigh conferred with PennDot and also asked Solicitor Jim Ross for advice. The current 15 mph speed signs should be removed and replaced with 25 mph. Once done, it was recommended to patrol this area and use vascar as a means to slow the traffic down. At this time, it is not recommended to make this street a one-way street. Mr. Bibby was advised of this.

Auditor, Denise Hebb, CPA attended the meeting at the request of the Board last month to review the audit findings from 2010. Mrs. Hebb began her presentation by addressing the two letters that accompanied her report. Letter #1, which began “We have audited the financial statements, etc.”, Mrs. Hebb explained that this letter is done in accordance with accounting standards required as reviewed by her peers. Letter #2, which began “In planning and performing our audit, etc.”, Mrs. Hebb noted that this is the more significant letter to address. She reviewed each of the sections as follows:

- Management's Inability to Prepare Financial Statements – Mrs. Hebb noted that this is the case in most municipalities whereby financial statements are not done internally and is done by the auditor. This statement is required as per her peer review as an auditor and does not indicate a material weakness in the Township's operation.
- Failure to Make Timely Deposits – Mrs. Hebb reported that this applies to the Tax Collector/Treasurer not Sewer. The sewer clerk deposits daily and/or every other day. Mrs. Hebb noted that there are sometimes weeks with no deposit from the Tax Collector's office. Holding undeposited funds subjects them to potential loss or theft.
- Failure to Reconcile Receipts – Mrs. Hebb noted that in looking for someone to reconcile other than the three girls in the office, she turned to the monthly Treasurer's report. She noted that the report did not reconcile with the actual deposits. Her recommendation was for the treasurer's totals per category be reconciled to the general ledger on a monthly basis. If there are errors found on the Treasurer's report(s), corrections need to be made since this is the report being submitted to the Board of Commissioners for review.
- Failure to Reconcile Subsidiary Ledgers to General Ledger – Mrs. Hebb noted that sewer billings and cash receipts are posted by the sewer billing clerk. Adjustments are also made by the sewer clerk. She is recommending implementation of some safeguard.
- Allocation of Payroll and Related Expenses from General Fund to Sewer Fund – Mrs. Hebb noted that in addition to allocating a portion of payroll from the sewer fund into the general fund, payment should include building costs, such as utilities, phone, etc. At this time, the Secretary noted that this would be discussion for the 2012 budget since it is not presently budgeted.

Mr. Policaro questioned the collection of taxes referring to the paragraph in the letter concerning collection procedures. The recommendation by the Auditor was to come up with a formal collection process. Presently, there is no follow-up to collecting the unpaid taxes (i.e. periodic statements and/or telephone calls to delinquent accounts).

Mr. Anderson responded noting that he does not stop collecting on December 31<sup>st</sup>. He continues to collect prior to turning over the delinquents in April. He reported collecting \$23,000.00 + from January through April. He also stated that he has made telephone calls.

Mr. Leiper questioned Mr. Anderson concerning the letter he received from the Solicitor (as directed by the Board last month). This letter was sent as a result of two residents attending last month's meeting regarding EIT refunds. Mr. Anderson reported that the pending refunds have recently been paid up-to-date and admitted that they should have been refunded quicker. As for the timely deposits, Mr. Anderson noted that he prepared a spread sheet indicating the deposits, since the day he took office. He advised that there are going to be slow times with very little or no funds to be deposited. He makes the deposits on Monday, Wednesday, and

Friday. As far as the Treasurer's Reports not being accurate, he suggested the ledger numbers may not be same as what is being entered into the computer's accounting system.

Mrs. Hebb reiterated that, by Mr. Anderson not depositing right away, this creates a loss of interest earned and the possibility of the loss of a check. Upon the conclusion of the report, Mr. Leiper noted the need to approve payment of the audit invoice. Motion was made by Mr. Hoover; seconded by Mr. Policaro to pay the invoice in the amount of \$13,650.00 as per the agreement. Passed unanimous on a roll call vote.

Prior to continuing with the agenda, Mr. Bradow questioned Mr. Anderson on keeping the hours that he has set for office operation. He noted complaints received on not being at the office during the hours that he has posted for operation. He noted the office staff fielding the complaints because of his lack of attendance.

Mr. Hoover advised that there seems to be three points of issue with the Tax Office:

- Timely deposits
- Hours of operation
- EIT Refunds (all done through 2010)

All of which have been addressed between the Board, Mrs. Hebb, and Mr. Anderson. Mr. Hoover noted that none of the items indicate misappropriated or lost funds, and requested proof if that is the case. Mrs. Hebb reported the policies and procedures recommended are to insure that these things don't happen. She explained that she does have examples; however, due to the nature of this didn't bring them. Mr. Hoover expressed that he wants examples the next time.

At this time, Mr. Leiper thanked Mrs. Hebb for her report and proceeded with the public comment. Ms. Becky Rollins, daughter of Mrs. Natalie Volk, W. 10<sup>th</sup> Street attended the meeting as a follow-up from last month regarding the condition of W. 10<sup>th</sup> Street and Darlington Court. The surface of W. 10<sup>th</sup> is still horrible to travel on and questioned why a small company cannot be contracted to resurface the roadway. An explanation was given (by the Solicitor and Engineer) noting that the Township can't just hire a contractor (i.e. Watterson) to do the road. Municipalities are required to bid projects out. Additionally, state liquid fuels funds are being used for the road project and certain approvals have to be given. Also, she noted that nothing has been done to the property (known as Darlington Court) to remove the weeds, brush, and grass to enable site distance when pulling out onto 11<sup>th</sup> Street from W. 10<sup>th</sup> Street. A recap of the status of Darlington Court was given, whereby it was noted that Mr. Bob Miller, of Guardian Group which is the company hired by the Bond Company (American Southern) to finish the scope of the work to be done under the bond. Mr. Miller did a site visit last week and assured the Township Secretary that they will hire a brush hog to clean up the property of the weeds, grass, etc. Ms. Rollins along with Mrs. Volk expressed their disappointment that nothing has been done since last month's meeting other than the Public Works Department cutting some weeds.

**Treasurer's Report:** Mr. Anderson presented the Treasurer's Report(s) for the General Fund, Sewer Fund, and Other Accounts. Motion was made by Mr. Hoover; seconded by Mr. Policaro approving the Treasurer's Reports as presented. Passed unanimous.

Mr. Anderson advised the Board starting next month, he will include two spread sheets with his report that includes the breakdown of what is collected and deposited. Mr. Hoover questioned the checks received and whether they are deposited right away. Mr. Anderson's response indicated that deposits are made on Mondays, Wednesdays, and Fridays and admitted carrying checks around in his briefcase. Mr. Ross advised that the checks should not leave the office and should be deposited rather than carried around in his briefcase.

**Engineer's Report:** Mr. Mitrovich distributed his monthly report and reported on the following items: Corrective Action Plan – the project should be closed out in the next few months. Miscellaneous lawn restoration and complaints presently being done. Darlington Court – the representative of the bonding company (Robert Miller) indicated a contract has been approved with Kozik Brothers to complete the property under the bond. They will proceed once the Erosion and Sedimentation Plan is renewed. LSSE recently submitted a copy of the Developer's (Franco) plans to the bond company's attorney. 2011 Road Program – the work is complete. Payment request #1 has been received from Youngblood Paving in the amount of \$117,426.81. Motion to pay was made by Mr. Hoover. Seconded by Mr. Policaro, the motion passed unanimous on a roll call vote.

**Monthly Bills:** The bills for August were presented for approval. Motion was made by Mr. Bradow; seconded by Mr. Hoover approving payment. Passed unanimous on a roll call vote.

**Solicitor's Report:** Mr. Ross provided additional information on Darlington Court. He advised of a site visit by representatives from the bonding company (Attorney Al Torrence and Robert Miller). They indicated that the weeds and brush will be taken care of. Mr. Ross recommended advising Mr. Morrow (Township Code Officer) to give them a deadline. The status of the pending NPDES permit needed was provided noting that the previous permit expired in 2009 and Mr. Franco did not renew. The bond company is hoping to expedite the permit process, whereby Mr. Ross enlisted the help of LSSE in taking care of this. Mr. Mitrovich reported that their Engineering firm applies for these permits regularly and will assist the bond company in making the right contacts. The Board was reminded that the purpose of the bond is to complete the infrastructure only. Unless the developer proceeds with building or sells the property, it will still be undeveloped.

Discussion was held on the costs incurred for the Township Solicitor and Engineer whereby it should be the bonding company paying. Motion was made by Mr. Hoover; seconded by Mr. Policaro to bill the costs associated with this project for the Engineer and Solicitor's work to the bonding company. A letter will be sent to Attorney Torrence. Motion passed unanimous on a roll call vote.

Mr. Ross presented Ordinance #432 for adoption. The content included provisions for electronic signs in C-2 and C-3 and shall be a conditional use in P (Preservation) District. Also, the size of the political signs have been changed from 2 sq. ft. to 4 sq. ft. It was noted that it has been advertised, a public hearing held (at the beginning of this meeting) and is ready for adoption. Motion was made by Mr. Bradow; seconded by Mr. Hoover approving the adoption. Included in the motion was the previous agreement made with Mr. Hostetter to pay up to \$1,200.00 of the expenses incurred for the electronic sign regulations. An invoice will be sent. Motion passed unanimous on a roll call vote. Note: Although the motion passed unanimous, Mr. Policaro made it known that he is still opposed to changing the political sign portion of the ordinance at this time.

Mr. Ross presented Ordinance #433 changing the per capita tax regulations from 5% to 10% penalty to comply with the Blackhawk School District's penalty and change the amount of the Township's per capita from \$5.00 to \$10.00/per person. Motion was made by Mr. Bradow; seconded by Mr. Hoover approving the adoption of Ordinance #433. Passed unanimous on a roll call vote.

**Committee Reports: Buildings/Grounds** – Mr. Bradow had no report.

**Code Enforcement** – In Mr. Morrow's absence, his monthly report was distributed for review.

**Fire/Utilities** – Mr. Policaro presented five (5) fire reports, representing 48 hrs. in the amount of \$312.00. Motion was made by Mr. Policaro; seconded by Mr. Hoover approving payment. Passed unanimous.

**Parks/Recreation** – Mr. Hoover presented a letter from Blackhawk Girls Softball Association indicating the annual assessment owed in the amount of \$198.00. It was noted that this is a budgeted item. Motion was made by Mr. Hoover; seconded by Mr. Policaro approving payment. Passed unanimous on a roll call vote.

Mr. Hoover thanked Mr. DeLuca for handling the Beaver County Jail Inmate Program. He walked through the park and noted a job well done.

**Public Works** – In Mrs. Bonomo's absence, the Secretary presented the contracts for upcoming winter snow removal season. Both programs were applied for in the Spring. The bid results revealed the following:

- Council of Governments - \$57.70/ton (Cargill Deicing Technologies)
- Council of Governments - \$11.45/ton (A.R. Oliastro)
- Co-stars (State Program) - \$61.16/ton (Cargill Deicing Technologies)

Upon submitting the quantities for bidding, it is not known at the time which entity will

be cheaper. The Township's obligation is to purchase 60% or 120 ton (from Co-stars). The rest will be purchased through the Council of Governments. The Board needs to approve participation in the preceeding contracts. Motion was made by Mr. Bradow; seconded by Mr. Policaro approving the contracts for the 2011-2012 winter snow removal. Passed unanimous on a roll call vote.

**Police/Township Office/COG/TCC** – Mr. Leiper noted the distribution of the Police report for review. He also indicated no meeting held by the TCC (Tax Collection Committee); and the COG (Council of Governments) is status quo.

Mr. Leiper updated the Board on the Fallston Borough merger noting the next meeting to be Monday, August 29, 2011 to discuss the Fire Departments' feasibility study for consolidation. He also advised that Fallston has requested continuing the police contract in the meantime. Mr. Leiper would like to see a multi-year contract so that this doesn't have to be addressed annually. Of course, if the merger goes through the contract would not be needed. He noted that Chief Cindrach provided information on the number of average calls per day and that the bars have not been a problem. The suggestion was made to go with a 2 year contract. An amount was not determined at this time. On a final note, the purpose of the upcoming meeting is to review the scope of the fire study to be done.

Mr. Leiper advised of the need to purchase a folding machine for the monthly sewer billing. The current model is not repairable and Kari has been doing the folding of over 1150 bills manually for the past several month. The cost of a new one is \$590.00 from Standard Typewriter in New Brighton, who will also service the machine if needed (as time goes on). Motion to purchase was made by Mr. Bradow. Seconded by Mr. Hoover the motion passed unanimous on a roll call vote.

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

**Unfinished Business:** A second letter was sent by Don and Delores Miller requesting reconsideration for building a garage on property they own in the vicinity of 18<sup>th</sup> Avenue (by Pleasantview Homes). Upon receipt of their first letter, it was determined that it would need to be re-zoned since the regulations do not allow accessory uses on property without a primary dwelling. It was considered spot zoning, which is not allowed. At that time, the Board denied their request. Mr. Leiper offered to call the Millers to further explain the Township's position.

The position of Zoning Officer is still vacant; therefore reconsideration in filling the unexpired term of Greg DeLuca was discussed once again. Motion was made by Mr. Policaro; seconded by Mr. Hoover to appoint William Witkouski, 126 Oak Street Beaver as the Zoning Officer. Motion passed three ayes (Policaro, Hoover, Leiper) and one abstain (Bradow).

An invitation to the Allegheny County and Western PA Association of Township Commissioners annual Conference at Seven Springs on September 29<sup>th</sup> through October 2<sup>nd</sup>

was received last month. Authorization to attend is needed; therefore, motion was made by Mr. Hoover; seconded by Mr. Policaro approving attendance. Passed unanimous.

**Township Agencies:** The minutes of the Planning Commission meeting held July 21<sup>st</sup> were submitted for review.

**Communications:** A letter and application was received concerning participating in the Federal Surplus Program. Authorization to participate is needed every three years. Motion was made by Mr. Bradow; seconded by Mr. Hoover approving the Federal Surplus Program. Passed unanimous.

**New/Miscellaneous Business:** The quarterly transfer from the Sewer Account to the PTMA's sinking fund for the loan payment is due in the amount of \$27,347.67. Motion to approve was made by Mr. Bradow. Seconded by Mr. Hoover, the motion passed unanimous on a roll call vote.

**Executive Session:** There was no need for an Executive Session.

Prior to adjournment, Mr. Bradow questioned whether the Board needs to have a meeting or further review the audit report provided at the beginning of the meeting. The question was raised to show examples of wrong doing and Mr. Bradow wanted to know if the Board covered it sufficiently. Mr. Leiper advised that he feels that it has been covered sufficiently seeing no need for an additional meeting.

There being no further business to be brought before the Board, motion was made by Mr. Hoover to adjourn. Seconded by Mr. Policaro the meeting adjourned at 9:04 p.m.

Respectfully submitted:

Paula J. Wagoner, CMC  
Township Secretary

Copy: James J. Ross, Esq.  
Ned Mitrovich, P.E.  
Board of Commissioners

