

Corrected Copy-1/24/2013

Patterson Township Board of Commissioners Regular Meeting

Thursday, December 13, 2012

The Patterson Township Board of Commissioners held their regular meeting on Thursday, December 13, 2012 at 7:00 p.m. at the Municipal Complex, 1600 19th Avenue Beaver Falls, PA. Following the call to order and Pledge of Allegiance, roll call show Commissioners Policaro, Bradow, Hoover and Mahosky present. Mrs. Bonomo was absent.

Mr. Policaro started the meeting with a moment of silence in memory of Mr. George H. Paxton, former Commissioner who served the Township for over 20 years.

The minutes of the previous meeting held November 8, 2012 were presented for approval. Motion was made by Mr. Hoover; seconded by Mr. Mahosky. Passed unanimous.

Public Comment: Mr. William Livingston , along with a delegation of residents and family members of Mrs. Wagoner's, presented a request and proposal to rename a portion of Kennedy Lane to Wagoner Way in honor of Mrs. Paula Wagoner, for serving Patterson Township as Township Secretary for 29 years (in 2013). The location of Wagoner Way will cross over Dixon Way (named for a previous Township Secretary); also the location of the former Township Office. Motion was made by Mr. Bradow; seconded by Mr. Hoover adopting a resolution renaming a portion of Kennedy Lane between 7th Street and Dixon Way, "Wagoner Way". Passed unanimous.

The meeting continued with the opening of the Recycling Bids for 2013 and an option of continuing into 2014 (Option A). The bid results were as follows:

| Contractor | 2013 | 2014 (Option A) |
|---|---------------|-----------------|
| J. Young Refuse Georgetown, PA | \$2,300/month | \$2,300/month |
| Valley Waste Refuse Beaver Falls, PA | \$2,345/month | \$2,345/month |
| J. Brunner Refuse Zelienople, PA | \$2,360/month | \$2,360/month |

Mr. Hoover made a motion to approve J. Young Refuse as the low bidder at \$2,300/month. Prior to a second, Mr. Bradow requested a legal opinion on whether the bid could be awarded to Valley Refuse, since the amount is only \$45/month difference and they

have done our recycling the last few years. Mr. Ross advised that the protocol for awarding to any bidder is “the lowest responsible bidder”. Since Valley Waste has done the Township’s recycling program for the last few years, they are certainly a responsible bidder and it would be appropriate to award to them if the Board so desires. Mr. Hoover withdrew his original motion and made the motion to accept Valley Waste bid of \$2,345/month for 2013 and 2014. The motion was seconded by Mr. Bradow and passed unanimous on a roll call vote.

Treasurer’s Report: Mr. Joann Ferrazzano submitted her November reports for the General Fund, Sewer Fund, and Other Accounts. She noted adjustments made to the October reports previously submitted. Motion was made by Mr. Hoover; seconded by Mr. Mahosky approving the Treasurer’s Reports as submitted. Passed unanimous on a roll call vote.

Monthly Bills: The monthly bills for November/December were submitted for payment. Motion was made by Mr. Hoover; seconded by Mr. Mahosky approving payment. Passed unanimous on a roll call vote.

Engineer’s Report: Mr. Mitrovich distributed his monthly report and advised of the following: Darlington Court – status unchanged. Presently the Developer is responding to requests of Beaver County Planning Commission (& BC Conservation); 2012 Road Program – all work has been completed. Punchlist items remain to be completed; Steffin Hill Sanitary Sewer – an opinion of probably cost was provided at last month’s meeting (\$633,000). Mr. Mitrovich advised that the replacement of this section of sewer line will need to be addressed in the future. A history of this line was given, whereby it was put in by hand many years ago. The valley is steep and replacement needs to be re-aligned not replaced. If constructed in the same location, the cost will increase. Any discharge of wastewater could cause it to bypass the bidding process (noting it will need to be repaired immediately). Mr. Mitrovich noted that the Township does have exposure and so far the line has not failed. Mr. DeLuca has done an excellent job in keeping it repaired/operating. The estimate of \$633,000 could be lower. Mr. Hoover expressed concern and noted that it will need to be addressed in 2013.

Mr. Hoover noted a \$39,000 shortfall in the sewer budget. The Joint Sewer Users for the Beaver Falls Wastewater System have increased the cost for treatment substantially over the last 6 years. It was noted that the Township customers have a 2-tier system based on water consumption. If the consumption goes up and down, the collections go up and down.

Mr. Mitrovich presented two options for sewer rate increases. The first option is to increase the minimum by \$1.00 (\$12.50 to \$13.50 & \$14.50 to \$15.50). Additionally, increase the units (per 1000/gal) by \$1.00 (\$6.90 to \$7.90 & \$7.90 to \$8.90). This would generate approximately \$549,190 by imposing a 10% rate increase. The second option is to increase the minimum by \$1.50 (\$12.50 to \$14.00 & \$14.50 to \$16.00). The per unit increase for \$1.50 would be \$8.40/1000 gallon and \$9.40/1000 gallon. This would be a 15% increase. The total projected revenue would be \$581,296. Mr. Mitrovich advised that option 2 would make the sewer budget solvent. Additional discussion was held on the choices of financing of the Steffin

Hill Project (bond issue, Pennvest, seeking grants, etc.). It was agreed that further action will take place under the second reading of the Sewer Budget (scheduled for tonight's meeting).

Solicitor's Report: Mr. Ross advised of the need to adopt Ordinance #436, which has been advertised for tonight's meeting. Ordinance #436 gives consideration for the merger of Patterson Township and Fallston Borough and includes the Agreement (Exhibit A) by both municipalities on how this merger will take place. Mr. Ross advised that upon authorization by the Board, the Ordinance will be signed and sent to Fallston Borough for their approval at their meeting as well. Upon approval by both Boards, it will be placed on the ballot as a referendum in the May Primary Election; therefore noting that the Boards are only one part of the equation. Mr. Ross noted having 4 copies for signature upon approval. Motion was made by Mr. Hoover; seconded by Mr. Mahosky approving the adoption of Ordinance 436. Motion passed unanimous on a roll call vote. Mr. Ross noted that the costs involved regarding this Ordinance will be shared jointly with Fallston.

Mr. Ross noted an item unfinished from last month. The question was raised on Veteran's preference under Civil Service regulations as to whether the Township is required to hire the first applicant on the eligibility if veteran's preference played a role in putting him/her there. Mr. Ross referred to Section 638 and noted that the veteran is entitled and should be hired as long as they meet the criteria for hiring (availability, etc.).

Committee Reports: Fire/Finance – Mr. Mahosky submitted fire reports for October and November. The total fire reports for October was 14 for a total of \$643.50; and for November was 5 reports or \$347.75. Motion to pay was made by Mr. Hoover; seconded by Mr. Mahosky. Passed unanimous on a roll call vote.

Mr. Mahosky reported looking into upgrading the Fire Department's computer system and creating an office within the firehall to house a new computer. He noted that he plans to stay within what he is allowed to spend on a new computer, which he estimates will cost \$500-\$600. He is gathering bids to turn the kitchen area on the second floor of the fire building to house this new computer and preliminary estimates are \$2,000.00 for building alterations.

At this point, Mr. Mahosky deferred to the Township Secretary to provide the second reading of the General Fund and Sewer Fund Budgets. Upon completion of the second reading of the General Fund Budget, it was noted that a tax rate increase is not necessary. The tax rate will remain at 16.25 mills for 2013. Motion was made by Mr. Bradow; seconded by Mr. Hoover approving the second reading of the 2013 General Fund Budget.

Upon completion of the second reading of the Sewer Fund Budget for 2013, Mr. Hoover made a motion to increase the sewer rates by \$2.50/1000 gallon, in addition to \$2.50 on the minimum. His motion was based on previous information provided under the Engineer's report. His motion died lack of a second.

Mr. Bradow made a motion to increase the sewer rates by \$2.00/1000 gallon. Seconded by Mr. Mahosky, the motion passed on a roll call vote 3 ayes, 1 naye (Hoover). A second motion was made by Mr. Bradow; seconded by Mr. Hoover approving both the General Fund

and the Sewer Fund 2013 Budgets. The Secretary will proceed with advertising as an Ordinance for adoption at the year-end meeting.

Parks/Recreation – Mr. Hoover had nothing to report at this time.

Public Works – Mr. Hoover brought the Board up-to-date on the signage project whereby it is the recommendation of Mr. DeLuca to eliminate Darlington Road signs at every street and only put them at the key intersections. This will save over \$2,000.00 (each sign is \$79.40/each).

As is the case in the Public Works Department, the new federal standards for radios switching to narrow band will cause the need to purchase new radios at a cost of \$996.00. Since Mr. Hoover is allowed to spend up to \$1000 without authorization from the Board, he will proceed with this purchase.

He also noted that Mr. DeLuca has requested to purchase 2 tanks (1 oxygen; 1 acetylene) from Butler Gas to keep on hand in lieu of an annual rental. The cost is estimated at between \$220-\$447. Mr. Hoover noted that since it falls below \$1,000; he will proceed with authorization.

Mr. Hoover advised of action taken last month referring Eagle Scout (Spiker) to him since the project has to do with parks/recreation. Mr. Spiker has requested to develop the area below Pineloch Estates and above Bradys Run Park (formerly Beegle Hill Road) into a hiking / naturalist area with benches, picnic areas, etc. Mr. Hoover noted that he will be talking to Mr. Betters, who owns the top half and Beaver County, who owns the bottom. Discussion was held on whether there would be Township liability by allowing this project to be done. Mr. Ross advised that once you allow something like this to be done, not owned by the Township, it does create a liability situation on the Township. The question was raised on who would maintain it once it is done. Mr. Ross recommended an indemnification agreement with all parties signing if this project is to move forward. Mr. Hoover will talk to Mr. Spiker.

Ordinances/Policies - No report in Mrs. Bonomo's absence.

Code Enforcement – Mr. Morrow's monthly written report was distributed for review by the Board with no questions being asked at this time.

Police/Township Office/COG – Mr. Policaro advised of nothing to report for the Council of Governments.

The distribution of the monthly Police Report was reported with no additional questions for Chief Cindrich.

The pending Police Collective Bargaining Agreement was presented for approval. This 4-year agreement was approved on motion by Mr. Hoover. Seconded by Mr. Mahosky, the agreement was approved unanimous on a roll call vote.

In a related matter, Mr. Policaro advised that the negotiator Mr. Paul Anthony submitted his invoice for payment. The original amount agreed upon by the Board was \$500.00. Mr. Anthony's bill came to \$675.00; therefore needs approved by the Board for payment. Motion was made by Mr. Hoover; seconded by Mr. Mahosky approving payment. Passed unanimous on a roll call vote.

Two memos were received requesting payment of unused sick days. Assistant Chief Stanislawski has 24 days and Officer LaValle has 10 days for payment. Motion was made by Mr. Hoover; seconded by Mr. Mahosky approving payment. Passed unanimous on a roll call vote.

Chief Cindrich provided a report on the upcoming radio narrowband compliance whereby purchase of a new radio is needed. The cost to purchase from Interstate is \$1,864.00. Motion to approve this purchase was made by Mr. Hoover; seconded by Mr. Mahosky. Motion passed unanimous on a roll call vote.

Mr. Policaro advised the Board of the need to replace one of the police cars. He noted that this falls in line with the replacement schedule that the Township has been on. The cars acquired from White Township are still in service. A quote was received and presented from Day Ford, which does offer the COG Cooperative Program and pricing. The total cost for a 2013 Ford Interceptor Utility (SUV) Model K8A is \$29,775.00. By including the window guards and weapons mount the total cost would be: \$30,620.00. Chief Cindrich provided the 3 year lease costs which would be \$11,006.41 per year. Questions on the mileage of the existing vehicles were asked. It was noted that the Ford Crown Vic is \$32,500 miles; one of the Dodge Chargers is 92,828 miles and the oldest (231) has over 111,000 miles, which is the worse car and recommend getting rid of. The average is 1,000 miles/per month. Motion was made by Mr. Bradow; seconded by Mr. Mahosky approving the purchase of the 2013 Ford Interceptor Utility Model K8A at a total cost of \$30,620.00, which includes the additional items and a 3 year lease program. The motion passed unanimous on a roll call vote.

Chief Cindrich also advised the Board of some problems with the manifold in the 209 (Dodge Charger) vehicle. The car was taken to the Dodge dealership and the cost for repairs is estimated at \$1,277.25. Motion was made by Mr. Bradow; seconded by Mr. Hoover authorizing the repair. Motion passed unanimous on a roll call vote.

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

Prior to moving on, Mr. Livingston provided a report on the need for the Township's Emergency Management Agency to also upgrade radios to narrowband. He advised of purchasing 2 slightly used radios from Interstate Communications, along with possibly picking up 4 more (radios that were taken out of service from Industry Borough Police Department). It was noted that the switchover can be done in-house (by Officer Girting) due to the County being swamped with this project. Mr. Livingston noted that the cost for these radios will not exceed \$1,000.00, of which he has budgeted.

Unfinished Business: The Secretary noted the receipt and distribution of the 2011 Auditor's Report. Additionally, a 3 year proposal was submitted by Hebb & Company to perform the 2012-2013-2014 audit in the amount of \$14,500; \$14,950; and \$15,400 respectively. Motion was made by Mr. Hoover; seconded by Mr. Mahosky to approve Hebb & Company's 3-year proposal. Passed unanimous on a roll call vote.

A letter/invoice was received from the Beaver County Assessment Office regarding costs involved in removing 3 Township properties from the upset sale that were erroneously filed. Proof of payment was provided to the Township by the property owner in addition to Mr. Ross previously filing a stay on the sale of these properties. The costs involved by the assessment office are passed on to the Township in the amount of \$1,560.00 and are presently due. Motion was made by Mr. Bradow; seconded by Mr. Hoover approving payment. Passed unanimous on a roll call vote.

Township Agencies: No report.

Communications: A letter of notification was received regarding Act 13 disbursements, of which the Secretary noted signing up for some time ago. Act 13 disburses funds received by the state for gas/oil drilling back to the municipalities that have registered for it. Although the Township has only received approximately \$900.00 there are specific items that these funds can be spent. The Secretary noted various items that the funds can be used for (roads, sewers, recreation, etc.). Mr. Hoover requested a copy of the act's summary.

A letter was received from Comcast advising of the potential for renewing the Cable Franchise Agreement. In researching the agreement, the Secretary noted that it is in its 10th year of a 12 year agreement. The letter indicated that the Township will be notified of an upcoming meeting to be held.

A letter was received from the Blackhawk School District Coaches vs. Cancer Committee requesting donations. Since the Township usually doesn't use tax funds for donations, the letter was distributed to each of the Boardmembers in the event they would like to personally donate.

An invitation was received from the Allegheny County Boroughs Association annual banquet on February 2, 2012.

New/Miscellaneous Business: An invoice was received from the City of Beaver Falls Joint Sewer Users – 4th Quarter usage in the amount of \$67,617.50. Motion was made by Mr. Hoover; seconded by Mr. Mahosky approving payment. Passed unanimous on a roll call vote.

Discussion was held on scheduling the Year-end Meeting of which Ordinance #437 will be advertised for adoption (2013 General Fund/Sewer Fund Budgets and Tax and Sewer Rates). Monday, December 31st at 11:00a.m. at the Municipal Complex, 1600 19th Avenue was selected.

Executive Session: The Board went into executive session at 9:05 p.m. for legal advice on a personnel matter.

Back in session at 9:40 p.m.

Motion was made by Mr. Hoover; seconded by Mr. Bradow authorizing an Ordinance for the naming of Wagoner Way in honor of Secretary Paula Wagoner. The Solicitor advised that an Ordinance is appropriate instead of a resolution. Passed unanimous on a roll call vote.

The 2013 meeting dates were set as the 1st Thursday of the month being a work session and the regular meetings will stay at the 2nd Thursday of each month. The Secretary will proceed with advertising. The time (7:00 p.m.) will remain the same.

Finally, motion was made by Mr. Hoover; seconded by Mr. Bradow authorizing the Township Secretary along with the Township Solicitor to come up with the restitution figures needed for the upcoming preliminary hearing regarding Tax Collector, Mr. Anderson. It was noted that the attorney for Mr. Anderson is Attorney Stephen Colafella. Included in the motion was attendance at the preliminary hearing on January 3rd by either Mr. Ross or Mr. Fawcett on the behalf of the Township.

A second motion was made by Mr. Mahosky confirming giving Mr. Policaro (who plans to attend the hearing also) along with Mr. Ross or Mr. Fawcett and Assistant Chief Stanislawski (investigating officer) the ability to sign off on a plea deal regarding this case if necessary. Seconded by Mr. Hoover, the motion passed unanimous on a roll call vote.

Adjournment: There being no further business to be brought before the Board, the meeting adjourned at 9:45 p.m.

Respectfully submitted:

Paula J. Wagoner, CMC
Township Secretary

