

Patterson Township Board of Commissioners

1600 19th Avenue Beaver Falls PA 15010

Regular Meeting

Thursday, June 14, 2012

The Patterson Township Board of Commissioners held their Regular Meeting on Thursday, June 14, 2012 at 7:02 p.m. at the Municipal Complex, 1600 19th Avenue, Beaver Falls PA. Following the call to order and Pledge of Allegiance, roll call showed Commissioners Hoover, Bonomo, Bradow and Mahosky present. Mr. Policaro was absent.

Vice-President Hoover presided over the meeting and requested approval of the minutes of the Regular Meeting held May 10, 2012 and the Special Meeting held May 21, 2012. Motion was made by Mr. Mahosky; seconded by Mrs. Bonomo approving both minutes as presented. Passed unanimous.

Public Comment: Mr. Chuck Betters (Betters Real Estate), attended the meeting to bring the Board up-to-date on the purchase of the Darlington Court property from Integra Group. He gave a recap of his proposal to the Board last month and advised that a sales agreement has been signed with Integra Group. He noted Mr. Jack Bock, Esq. (Attorney for Integra Group-Franco's) was in attendance with him. The Developer's Agreement has been executed by Mr. Betters and was brought to the meeting for execution by the Township. Additionally, a Certificate of Insurance and Performance Bond was provided. All have been reviewed by the Township Solicitor. He noted that the money (for Darlington Court) is in escrow to complete the sale. Mr. Betters advised of having a meeting with the Beaver County Conservation District regarding the NPDES Permit. The plan has been submitted and he is hoping to hear back from them by the end of the week. He advised of submitting plans that are code compliant since the previous plans are out of date. The schedule he is hoping to meet will be breaking ground within 45 days; 7-8 buildings erected by the end of the year; and the entire development be completed by Spring, 2013.

At this time he deferred to Mr. Fawcett, who distributed a Resolution (#2012-005) for adoption by the Board. The resolution confirmed that Betters purchased the property; and provided a Developer's Agreement (attachment). Mr. Fawcett also confirmed that Mr. Betters provided a Performance Bond and proof of insurance. Two motions are in order.

Motion was made by Mrs. Bonomo; seconded by Mr. Mahosky approving the adoption of Resolution 2012-005. Passed unanimous on a roll call vote.

A second motion was made by Mr. Mahosky authorizing Bowers, Ross, & Fawcett to send a letter to release the former bond holder (American Southern) of any/all obligations regarding this property known as Darlington Court. Seconded by Mrs. Bonomo, the motion passed unanimous on a roll call vote.

Mr. Betters thanked the Board for allowing him the time to complete the purchase of this property. Mr. Hoover returned the thanks on behalf of the Board to Mr. Betters for taking the interest in this property to purchase and develop.

The agenda indicated residents John Douglas and John Cox, Villa Court were in attendance to address the Board. Additional residents of this area were also present. Mr. Douglas advised of an issue with the neighbors, whereby there is machinery operating day and night. He also advised of two vacant homes in their neighborhood that have foundation problems, high grass, and roof issues. He questioned the safety of antenna's being placed on the roof that he knows have come down twice. Mr. Douglas also advised of a home in his area that has no gutters and expressed that the code requires them.

Mrs. Amelia Terlizzi, 4 Villa Court advised of a letter that she submitted to Mr. Policaro by dropping off at the Township office. Being advised that he would be out of town for this meeting, she presented a copy to Mr. Hoover. The 4-page letter addressed various concerns of, not only her and her husband, but the neighbors in attendance at tonight's meeting as well. Her letter addressed 7 Villa Court (55 gallon barrels, scrap metal, lawn chairs on the roof, antenna, foul language, etc); 5 Villa Court (birds flying in/out of trim on house, weeds, grass, no gutters); 2 Villa Court (recently vacated, high weeds, foundation problems); York Place (roadway surface). Her letter requested a program be put in place to get the neighborhood cleaned up. She suggested a Township Committee to oversee beautifying Patterson Township. She invited the Board to her neighborhood to see for themselves.

Since it was pointed out by Mr. Douglas and Mrs. Terlizzi that some of the Township Ordinances are unclear on definition (i.e. noise, riding tractor on sidewalks/roadway, etc.), Mr. Hoover suggested Mrs. Bonomo (Commissioner of Policies/Ordinances) review and come back with recommendations to the Board. Mr. Fawcett addressed the complaint of the tractor on the roadway, noting this would fall under the vehicle code. The issue of riding on the sidewalk may need inclusion in an Ordinance. It was also noted that "noise" is addressed in two areas of Township Ordinances. General noise and/or construction noise.

John Grgurich, 7 Villa Court (in attendance) explained the use of heavy machinery on their property. He advised that he was putting in a garden and when Chief Cindrach stopped on Memorial Day to request that he stop, he did. He advised that they (his family) is always working to improve their home.

Monica Grgurich, 7 Villa Court advised that the bobcat is gone from the property and the large equipment was used by her husband 5 years ago.

Terri McClean Cox, 6 Villa Court advised that their home was appraised for the purpose of refinancing. They were denied, because of the condition of the neighborhood.

John Cox, 6 Villa Court also spoke to the Board regarding all of these issues. He expressed concern for Mr. Grgurich riding his tractor on the street, sidewalks, etc. and the safety issue.

Michael Grgurich, 7 Villa Court advised that he is an amateur radio operator and was unaware that his transmissions were interfering with TV reception, computer operation, etc. The neighbors never asked, nor advised him of this. He also noted that the antennas on the roof are secure.

Treasurer's Report: No report.

Monthly Bills: The monthly bills for May/June were presented for approval. Motion was made by Mrs. Bonomo; seconded by Mr. Mahosky approving payment. Passed unanimous on a roll call vote.

Engineer's Report: Mr. Robert Firek (attended for Mr. Mitrovich), provided the following written report: Corrective Action Plan – Pre-construction meeting held June 13th for the wet well replacement project. Contractor to start in 3 to 4 weeks; Darlington Court – LSSE reviewed the Developer's Agreement with the Township Solicitor. Appears to be in order. 2012 Road Program - LSSE revised the estimated road repair costs to include stormsewer upgrades. By adding the stormsewer work, the increased cost is estimated at \$114,500.00. If the Board chooses to go this route, Mr. Firek recommended starting with Struby Avenue (Note: Additional discussion was held at the end of the meeting). MS4 – Year 9 Report was completed and submitted to PaDEP. This filing is required in order to get a new permit in September. DEP will advise what has to be done in order for them to issue the permit. The Secretary advised the Board that a complete copy of the MS4 Report is on file in the office, along with mapping. Township Map Update – Maps were requested in regards to the merger project with Fallston Borough. LSSE provided a hard copy of an existing Township map which can be modified depending on Township needs. Fallston Borough will need to be obtained. Costs will be provided once the Township decides what is required. Steffin Hill Sanitary Sewer – Estimates are nearly complete. Waiting for piping details. The Secretary reminded the Board that this project would be paid for by the Sewer Maintenance Fund.

Solicitor's Report: Mr. Fawcett advised the Board that it would be in order to officially accept the resignation of Treasurer/Tax Collector, Robert S. Anderson. Motion was made by Mrs. Bonomo; seconded by Mr. Mahosky accepting Mr. Anderson's resignation, effective on the date of the signed resignation, which was May 23, 2012. Motion passed unanimous on a roll call vote. (Note: Replacement named following the Executive Session at end of this meeting.)

Mr. Fawcett provided an update on the merger project with Fallston Borough. A letter was received from the PA Liquor Control Board since the last meeting. Mr. Fawcett noted that Representative Marshall planned on introducing a curative change to address Patterson Township being a "dry" community; and Fallston Borough being a "wet" community. In the meantime, DCED representatives met with the LCB Board and came up with a solution for the

merging municipalities. After review, the LCB Board decided to continue to treat the area known as Fallston as wet until there is a subsequent vote on the issue. Therefore, Mr. Fawcett noted that this appears to address the LCB issue. The next merger meeting is scheduled for June 26th at which time both communities should proceed with scheduling public meetings.

Committee Reports: Fire – Mr. Mahosky presented nine (9) fire reports in the amount of \$648.37. Motion was made by Mrs. Bonomo; seconded by Mr. Bradow approving the \$648.37 (99 ¾ man hours). Motion passed unanimous on a roll call vote.

Mr. Mahosky advised of the pending carpet issue at the Fire Department's social room. It has been resolved and the carpet is being delivered tomorrow. The cost of the carpeting is \$593.45 from Direct Flooring. The general fund will pay for the carpeting and the installation will be done by the firemen.

Parks/Recreation – Mr. Hoover reported the backboards for the playground area project are constructed. He expects installation to be sometime this month.

Public Works – Mr. Hoover advised that he was prepared to move forward with the road program, which included repaving Struby Avenue and Jenny Street; however, will discuss further in executive session.

Ordinances/Policies – Mrs. Bonomo had no report.

Code Enforcement – In the absence of Mr. Morrow, his written report was distributed for review. It was noted that his report indicated having a meeting, along with Assistant Chief Stanislawski, with a resident of Villa Court regarding some of the code violations (discussed under public comment).

Police/Township Office/COG – In Mr. Policaro's absence, Mr. Hoover provided his report. An invitation to a COG Symposium on June 28th (at CCBC) regarding the new Oil/Gas Law was received and distributed to the Board. Negotiations for the Police contract are moving along. No additional information for the Board at this time. The monthly Police Report was distributed for review.

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

Unfinished Business: None

Township Agencies: No report.

Communications: The Secretary noted receipt of a letter late today from a resident of 1504 4th Street. Mrs. Kathie Harding expressed concern over vicious dogs in her neighborhood and the inability to walk for exercise. She also addressed that her husband is handicapped and

unable to walk around the neighborhood. Her request was to adopt stricter dog laws in Patterson Township. Mr. Hoover recommended a review of the Ordinances that are in place and respond to Mrs. Harding.

New/Miscellaneous Business: An invoice from the City of Beaver Falls Water Pollution Control Plant, representing the 2nd Quarter Joint Sewer Users billing, was received. Motion was made by Mr. Bradow; seconded by Mrs. Bonomo approving payment of \$56,832.00. Passed unanimous on a roll call vote.

Executive Session: The Board went into an executive session for legal advice on a personnel matter at 7:57 p.m.

Back in session at 8:43 p.m. the following motion was made. Mr. Bradow made the motion to appoint Joann Ferrazzano, 409 Darlington Road to fill the unexpired term of Robert S. Anderson as Patterson Township Treasurer/Tax Collector (term ends: December, 2013). Also included in the motion: if it deems a conflict of interest, due to Joann's employment at the Beaver County Assessment Office, appointment will be made of the #2 applicant, Tamara Douglas, 8 Villa Court. Mr. Fawcett will take care of checking on conflict of interest. All is pending a cleared background check. The motion was seconded by Mrs. Bonomo and passed unanimous on a roll call vote.

Motion was also made by Mr. Bradow to send letters to the 18 other applicants that applied for this position. Included in the letter will be an invitation to fill any vacancies on Boards, Commissions, etc. Seconded by Mrs. Bonomo, the motion passed unanimous.

Back to the Engineer's report regarding 2012 Road Program (the extra cost for adding the storm sewer upgrade), Mr. Hoover noted that he was looking at a probable cost for repairs from LSSE, dated October, 2011. The difference from that cost estimate to the current presented tonight, is \$63,000.00. He questioned Mr. Firek on the amount of the increase. Mr. Firek explained that he didn't know what was provided (scope of work) to determine the cost from last October (does not have document with him) versus the current estimates. He noted the document provided at tonight's meeting is a revision from last month, in order to include storm sewer upgrades as requested by the Board. Mr. Hoover expressed that he was prepared to make a recommendation for a 2012 road repair program tonight, but is now unsure. He mentioned consulting with Mr. DeLuca. Mr. Firek noted that he did meet with Mr. DeLuca and rode through the Struby Plan to review the roads. Since Mr. Hoover was not at last month's meeting, he questioned what happened at the last meeting to change the course of action. He was advised to review the minutes. Mr. Firek noted the three (3) roads to be repaved. They are 17th Street; Struby Avenue; and Jenny Street. Whether to include the drainage or not is a decision that the Board needs to make. Mr. Firek expressed their advice (LSSE) is to do the most that you can do with the budget you have to work with. Discussion was held on the installation of a wedge curb to convey or channel the water. Also, various contracts could be put out for bid describing different repairs to certain roads (i.e. roadway improvements – Struby; stormsewer upgrades; roadway improvements – Jenny). If surveys are done, which are

needed for stormsewer upgrades, Mr. Firek explained the cost would increase by \$9000-\$14,000.

Mr. Hoover made a recommendation to request bids for the road repair of Struby Avenue; Jenny Street; and a third request for bid for both (Struby & Jenny). This would be 3 options (A,B,C) to open. Roads only. Mr. Hoover will discuss any necessary stormsewer issues with Mr. DeLuca. Motion approving the previous recommendation was made by Mr. Bradow. Seconded by Mr. Mahosky the motion passed unanimous.

There being no further business to be brought before the Board, the meeting adjourned at 9:00 p.m.

Respectfully submitted:

Paula J. Wagoner, CMC
Township Secretary

Copy: Kenneth G. Fawcett, Esq.
Ned Mitrovich, P.E.
Board of Commissioners