

Patterson Township Board of Commissioners

Regular Meeting

March 13, 2014

The Patterson Township Board of Commissioners held their regular meeting on Thursday, March 13, 2014 at 7:00 p.m. at the Municipal Complex, 1600 19th Avenue. Following the call to order and Pledge of Allegiance, Mr. Policaro indicated all Commissioners present (Policaro, Bradow, Hoover, Inman, and Mahosky).

Minutes: The minutes of the meeting(s) held on February 13, 2014 (Pre-Agenda and Regular) were presented for approval. Mr. Policaro noted a correction on page 1 regarding the paving of 15th Street and 17th Street (not 15th and 17th Avenue as noted in the minutes). Motion was made by Mr. Inman; seconded by Mr. Mahosky approving the minutes as corrected. Passed unanimous.

Public Comment/Visitors: Resident Tim Wuenschel, 1808 21st Avenue attended the meeting to advise the Board that the tree on his neighbor's property is still a problem. He came to the Board approximately a year ago, of which it was referred to the Township Code Officer, Randy Morrow. He wanted the Board to know that nothing has been done. He provided pictures of tree limbs, branches, etc. and quoted from Section 302 of the Township's code regarding the care of trees. Mr. Policaro advised Mr. Wuenschel that the Township cannot take all the trees down in the Township; however, would have Mr. Morrow take another look at it. Mr. Wuenschel also advised of a school bus traveling 18th Street between 20th and 21st Avenue, whereby it is destroying the roadway. He has patched on his own; however, the Township should be aware of the bus travels in conjunction with the road.

Two students from Beaver Falls High School were in attendance. Jeremy Luster, 82 Sunnyhill Drive and Christian Reese, 1035 3rd Avenue were to observe the meeting for their Civics Class. A copy of the minutes will be sent to each once transcribed.

Treasurer's Report: The February Treasurer's Report for the General Fund, Sewer Fund, and PLGIT Accounts were presented by Mrs. Wagoner, Treasurer. She noted the receipt of the Liquid Fuels deposit in the amount of \$71,597.87 (not reflected in the report due to it being done March 3rd). Additionally, March is the month that usually indicates the need to transfer some of the tax receipts over to PLGIT for investing. Motion was made by Mr. Bradow; seconded by Mr. Hoover to authorize the investing of \$200,000.00, in a PLGIT CD (if appropriate). Passed unanimous on a roll call vote.

Monthly Bills: The monthly bills for February and March were presented for approval. Motion was made by Mr. Inman; seconded by Mr. Hoover approving payment. Passed unanimous. A discussion was held on the budgeted capital reserve amount (\$25,000.00) in regards to transferring it into the Capital Fund. Mr. Bradow made the motion to transfer these

funds from the General Fund Budget. The motion was seconded by Mr. Hoover; however, he questioned whether to do at this time, since Fallston Borough has cancelled the police contract as of May 1st. Noting the reduced income for 2014, motion was withdrawn by Mr. Bradow. The Board will re-visit later in the year once clarification is known on what Capital Fund expenditures can be spent on.

Engineer's Report: Mr. Larry Lennon, Jr., LSSE, distributed and reviewed the monthly report with the Board. The following items were addressed: Darlington Court – no change; 2014 Road Program – Cost estimate was provided on the request of Mr. Inman for two sections of Book Avenue (20th to 19th and 19th to Jenny Street). Will be covered under Mr. Inman's Public Works report; 2013 Road Program - Retainage being held until Spring restoration is complete; 2011 Road Program – Agreement signed between Youngblood Paving and Township regarding repairs to School Street by June, 2014; MS4 Program – Year 2013 sampling is complete. Plan for Control Measures is currently being drafted. Permit issued January, 2014. Year 1 Report is due April 6th. Draft of DEP Stormwater Management Ordinance due in the next couple of months; and Darlington Road Sidewalk – Meeting schedule with PennDot to discuss requirements of Highway Occupancy Permit, if grant is received.

Mr. Mahosky advised of attending the Council of Governments meeting and the discussion on the use of Superpave by PennDot, which is noted as being not so super. He advised that the opinion is to use a tar pot.

Solicitor's Report: Mr. Fawcett noted a couple of items not on the agenda. The Treasurer and Assistant Treasurer need to be bonded. The applications have been filled out and submitted; however, an amount needs to be set by the Board. The requirement is 50% of monies handled. A resolution needs to be adopted setting the bond amounts. Motion was made by Mr. Bradow; seconded by Mr. Inman adopting a resolution designating the amount of \$500,000.00 for the bond amount for Treasurer Mrs. Wagoner and Assistant Treasurer Mrs. Seery. There will be two separate bonds. Motion passed unanimous.

Mr. Fawcett provided an update on the Generator Project for the EOC (Emergency Operations Center) located at the Township's Municipal Building. All monies from the participating municipalities have been received and the intergovernmental agreements approved. The next, final step, prior to putting out for sealed bid, is to adopt an Ordinance. Mr. Fawcett's recommendation is to do one joint public notice for the Ordinance (all four municipalities) with each of their appropriate Ordinance number and meeting date included. Motion to approve the publication of the proposed Ordinance was made by Mr. Mahosky. Seconded by Mr. Inman, the motion passed unanimous. Will be on the Agenda for next month's meeting.

Mr. Fawcett reported receiving a complaint filed with Chief Cindrach regarding the allegation of a Mr. James Carmon, resident of Beaver Falls. Mr. Carmon claimed to have damaged his car in a pothole on School Street, while driving through the Township. The claim is for \$199.00. Chief Cindrach provided the background and advised that Mr. Carmon provided no

proof that the damage was done in the Township. The recommendation of Mr. Fawcett was to deny the claim and have Chief Cindrach advise Mr. Carmon. Motion was made by Mr. Hoover; seconded by Mr. Bradow instructing Chief Cindrach to respond, advising Mr. Carmon that the Board turned down his claim. Passed unanimous.

Mr. Fawcett noted the last item to be the project of selling firearms confiscated over the years and presently kept in the evidence room. This project entails Mr. Fawcett filing court documents to allow the Township to sell these guns to a dealer. Mr. Fawcett explained that he wanted the Board to be aware that these guns that are to be sold could, at some point, end up back out on the street. Mr. Policaro advised that they are going to be sold to a reputable firearms dealer. Chief Cindrach noted that some of the weapons are of a collector's nature, whereby the guns are non-functioning. These would also be sold along with the guns in working order. The purpose for this project is to sell to a vendor for cash, enabling the purchase of police equipment.

Mr. Mahosky advised that he knew of a Federal program that pays for confiscated weapons and destroys them, thus not going back out into the public. He requested the Chief look into such a program. It was noted that destroying the unwanted/unused weapons was done at the steel mills in the past. Mr. Mahosky requested that this project be held off until more information can be obtained; however, Mr. Hoover made the motion to move forward with selling the guns, once Mr. Fawcett does the legal work. Seconded by Mr. Inman, the motion was approved 3 ayes, 2 naves (Mahosky, Bradow).

Mr. Mahosky questioned Mr. Fawcett on the status of the claim filed with the Bond Company (former Tax Collector). Mr. Fawcett advised that he provided the additional information requested (claim for reimbursement of legal and audit fees).

Committee Reports: Fire/Finance - Mr. Mahosky presented 9 monthly fire reports for February in the amount of \$468.00 (or 72 man hours). Motion was made by Mr. Mahosky; seconded by Mr. Hoover approving payment. Passed unanimous.

A memo from the Secretary was distributed providing a summary of the camera proposals received. The four proposals were as follows:

- Tri-State Voice & Data - \$3,120.00
- Blind Dog Security - \$2,886.00 (+\$420.00) = \$3,306.00
- Guzyk - \$3,289.00
- Brobeck Systems - \$9,995.00

Tri-State Voice & Data includes 8 cameras, DVR with 30 days storage, viewing on any monitor via internet, smart phones, etc. Since they already provide a maintenance package for the Township's telephone system, the Security System would be added.

Motion was made by Mr. Mahosky; seconded by Mr. Inman approving Tri-State Voice and Data's proposal for a security camera system for the Municipal Complex at a cost of \$3,120.00. Passed unanimous on a roll call vote.

Mr. Mahosky gave a report on the recent School Security meeting. He advised of a letter sent to Dr. Thomas, Acting Superintendent (Blackhawk) to request use of the Patterson Primary School for training of police officers. Mr. Mahosky also advised presenting a program on the School Security project at the Council of Government's meeting.

By attending the COG meeting, Mr. Mahosky picked up information on the PA Department of Transportation Agility Program. This exchange program between PennDot and municipalities may be something the Township may want to consider.

Parks/Recreation – Mr. Hoover advised that he has been working with Mr. Inman on mapping of the Township Park. He will review Mr. Bradow's suggestion of relocating the park sign to be more visible from 8th Street.

Public Works – Mr. Inman reported on the roof replacement proposal tabled from last month in order to pursue the cost for finishing steel screws/nails instead of metal screws. Mr. Inman had Mr. Ward (Ward Construction) provide pricing for a second option. The first proposal, which is a metal roof (leaving the current shingles intact) is guaranteed for 40 years. The second proposal includes a method to remove the shingles, using commercial products; however, still has a 40 year guarantee. The proposed cost is \$9,913.00. Mr. Inman advised that he is in favor of the original proposal in the amount of \$4,500.00. Motion was made by Mr. Inman; seconded by Mr. Bradow to approve replacing the roof at the Public Works Department for a cost of \$4,500.00. Mr. Mahosky asked whether the firehall was included in this discussion with Mr. Ward. Mr. Inman advised that the firehall would be a separate project. The motion passed unanimous on a roll call vote.

Mr. Inman gave a report on the proposed 2014 Road Program, noting that the estimates to repair 16th Street and 11th Street were higher than expected. It is his understanding that the Township is committed to do a shared project with the City of Beaver Falls (18th Avenue from 15th Street to 17th Street). Mr. Inman met with City Manager Steve Johnson, who indicated all the work will be overseen by Beaver Falls; that the appropriate paperwork will be sent up. Mr. Inman expressed concern for the funds available, noting that retainage is still owed on the 2013 Road Program and cost for materials as per the agreement made with Youngblood to repair School Street, under the 2011 Road Program.

In looking at the whole program again and the method to be used (binding and wearing course?), he requested an estimate from the Engineering for inverted seal of Book Avenue. The estimated cost is \$126,000.00. The estimate was provided in two sections: Book Avenue, 20th Street to 19th Street; and Book Avenue, 19th Street to Jenny Street.

Mr. Hoover commented on the commitment to do a joint road repair project on 18th Avenue; of which at the time the 2014 Road Program was not discussed. Mr. Bradow expressed that 16th Street and 11th Street are high traffic roads and resurfacing these two roads would be priority to him. Mr. Inman reported not having enough funds to do 16th Street and 11th Street. He stated that he is pursuing with PennDot (under the agility program) sealing 16th Street, for what the Township has already done for PennDot (cleaned stormsewers).

Mr. Hoover expressed that the Township should not go back to the same area three (3) years in a row and that he would not support a road repair project in the Struby Plan this year.

Mr. Inman reviewed the costs involved: \$145,000.00 to do 11th Street and 16th Street and \$126,000.00 to do Book Avenue. He expressed that he is trying not to overspend the monies available. Mr. Bradow recommended the Finance Commissioner (Mr. Mahosky) look at where additional monies can be found for the road repair program. The timing of doing a road program (preparation, opening, awarding bids/scheduling, etc.) was reviewed, indicating that Mr. Inman does have time to review and come back with recommendations in April.

Ordinances/Policies – Mr. Bradow reported that he already covered his items in the pre-meeting.

Code Enforcement – In Mr. Morrow's absence, his monthly reports for January and February (2014) were submitted for review. There were no questions or comments.

Police/Township Office/COG – Mr. Policaro reported the monthly Police Report for February was distributed for review. Part-time Office Joseph Strati will have completed his one-year probationary period on March 14th (tomorrow). There were no issues to discuss.

Officer Wagoner's request to purchase the retired hand gun (Smith & Wesson Model 65) is still pending. Mr. Policaro advised that the Chief has gotten prices from three vendors on the trade-in value: Markl's - \$250.00; Shooter's - \$300.00; and Brown's - \$300.00. Officer Yonlisky has also indicated an interest in purchasing the weapon his father carried. The Secretary reminded the Board of the request at the last meeting for her to research the minutes on what the original cost of the guns were. She advised that Mrs. Seery found the purchase of 7 handguns in 1983 for \$174.00/each. Mr. Policaro made the recommendation to sell these weapons to the officers for \$174.00 (i.e. the purchase price). Chief Cindrlich indicated that he would also be interested in purchasing at that price. Mr. Inman made the motion to approve Mr. Policaro's recommendation, along with selling only to those who had the weapons in the possession, except for granting an exception to Officer Yonlisky. It was noted that only two officers qualify (Wagoner/Cindrlich). Seconded by Mr. Hoover, the motion passed unanimous on a roll call vote. It was noted that any paperwork involved for the transfer of the weapon, would be at the expense of the officer.

Chief Cindrlich advised of the need to update the software to their computer system, since Windows XP will have no support, after April 15th. He indicated that he would need to

update to Windows 7 to support the State Police reporting system. The database cost would be \$1,265.00; however, that does not include costs for the department's reports management system (Cody). He does not have a cost for Windows 7 and the system will not run on Windows 8. It is unknown at this time what all is needed and the total cost.

Mr. Hoover made the motion instructing the Secretary to send a letter to the Department Heads advising them to include costs, when coming to the Board with requests for purchasing. Seconded by Mr. Bradow, the motion passed unanimous.

Mr. Policaro reported the need to update the Civil Service Commission eligibility list that has expired. Motion was made by Mr. Bradow; seconded by Mr. Inman to notify the CSC to proceed. Passed unanimous.

Mr. Policaro reported receiving information on the PSATC (PA State Association of Township Commissioners) upcoming conference June 12th- 15th at Willow Hill if anyone is interested in attending.

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

Unfinished Business: None

Township Agencies: Planning Commission - Minutes were received for the Reorganization Meeting as well as a Special Meeting held to re-approve the plans for Darlington Court. Darlington Court Plan was not recorded within the 90 days of approval; therefore the Township Planning Commission had to hold a special meeting.

Resident Jackie Heintl, 2 Windy Lane, contacted the office expressing interest in the vacancy on the Township Planning Commission. She has since attended a couple of their meetings. It is the recommendation of the Planning Commission to appoint Mrs. Heintl to fill the final vacancy on the Commission. Motion was made by Mr. Hoover; seconded by Mr. Inman to appoint Jackie Heintl to the Patterson Township Planning Commission. Passed unanimous.

Communications: A letter was received from the City of Beaver Falls advising of plans to update their Zoning Ordinance. It is appropriate to send a copy to neighboring municipalities. The update (amendment) is available for viewing on their web-site.

New/Miscellaneous Business: As a follow-up to the discussion held at the pre-meeting regarding Greg DeLuca's pension, authorization is needed to expense a portion of Greg DeLuca's pension from Huntington Bank. Motion was made by Mr. Hoover; seconded by Mr. Inman authorizing the Secretary to sign and arrange for withdrawals from Huntington Bank to supplement the monthly benefit from the MetLife annuity. Passed unanimous.

The Secretary also advised of receipt of the Act 205 Report, done by Hallett Associates. These report(s), one for the Police Pension and one for the Non-Uniform Pension is required by the State. The Township's copy will be on file for review.

Executive Session: The Board went into an Executive Session at 8:55 p.m. regarding a personnel issue.

Back in session at 9:40 p.m. The letter sent to Officer Steven Ivan regarding call-offs was referred back to Chief Cindrich. The Board of Commissioners instructed Chief Cindrich to handle this matter in conjunction with the current Police Policy and Procedures Manual.

Adjournment: Motion was made by Mr. Mahosky to adjourn the meeting. Seconded by Mr. Hoover, the meeting was adjourned at 9:45 p.m.

Respectfully submitted:

Paula J. Wagoner, CMC
Township Secretary

Copy: Board of Commissioners
Kenneth G. Fawcett, Esq.
Larry Lennon, Jr., P.E.