

Patterson Township Board of Commissioners

1600 19th Avenue, Beaver Falls PA 15010

Regular Meeting

Thursday, May 12, 2011

The Patterson Township Board of Commissioners held their regular meeting on Thursday, May 12, 2011 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 showed all Commissioners present: Leiper, Bonomo, Bradow, Hoover, and Policaro.

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

Public Comment: Mr. John Cox, 6 Villa Court attended the meeting to register a complaint concerning their neighbor at 7 Villa Court. He questioned the regulations for non-registered, non-licensed vehicles of which his neighbor has on their property. Mr. Cox claimed that they are driving these vehicles at night so the registration is not visible. Chief Cindrich advised that if these vehicles are on the property, it is a code violation (Mr. Morrow to handle) or if these vehicles are parked on the street, it becomes a police matter. Mr. Cox was encouraged to call the police when these unregistered, unlicensed vehicles are being driven. Chief Cindrich also advised that residents have to be willing to testify in court in order to uphold a citation issued to them if the violation is not observed by the police. An additional complaint was reported regarding the same neighbor owning a "bobcat" machine and using it at 7:00 a.m. in the morning on a regular basis. It is continuously driven on the roads, which is tearing them up. The noise ordinance was reviewed revealing that machinery cannot be operated between 9:00 p.m. and 7:00 a.m. Mr. Cox noted that the son is operating this bobcat continuously and is driving it from one end to the other. It is also not licensed. Again, Chief Cindrich recommended calling when it is happening and the residents in the area need to be willing to testify in court. Mr. Cox noted that he will do that in the future.

Mr. John Douglass, 8 Villa Court addressed the Board concerning the same neighbor. His complaint was concerning property maintenance, whereby there are no gutters on the house along with the entire property being an eyesore. The Secretary noted that Mr. Morrow's monthly report distributed for this evening's meeting addresses letters that have been sent to the Grgurich's, along with the property owner Michel Ledford, who is the daughter of Monica Grgurich. Several letters have been sent over the several months at various times concerning different property issues. This is an ongoing problem. Mr. Leiper advised Mr. Douglass (and Mr. Cox) that he would meet with Mr. Morrow to review the status of this property.

Mr. Tom Marshall, a Davidson Drive resident was listed on the agenda to address an issue with his sewer lateral and a tree in the sewer project area, but was not in attendance.

2325 Brighton Road
 Ellwood City PA

- Chicago Motors \$3,207.00 10% Bid Bond – yes
 2553 W. Chicago Avenue
 Chicago, IL

- Emergency Remarketing \$2,726.00 10% Bid Bond – yes
 8216 Mayfield Road
 Chesterland, OH

- **Welcome Motors \$3,400.00 10% Bid Bond – yes**
3346 W. Irving Park
Chicago, IL

- Marvin Peters \$1,150.00 10% Bid Bond – yes
 (no address given)

- Grace Quality Used Cars \$2,089.00 10% Bid Bond – yes
 945 Lincoln Highway
 Morrisville PA

Motion was made by Mr. Policaro; seconded by Mr. Hoover awarding the bid to Welcome Motors with the highest bid of \$3,400.00. Motion passed unanimous on a roll call vote. A second motion was made by Mr. Policaro awarding the bid to the second highest bidder, which is Chicago Motors (\$3,207.00) in the event that Welcome Motors defaults. Seconded by Mr. Hoover, the motion passed unanimous on a roll call vote.

Treasurer’s Report: In the absence of Mr. Anderson, the monthly Treasurer’s Report(s) for the General Fund, Sewer Fund, and Other Accounts were presented for review. Motion was made by Mr. Policaro; seconded by Mrs. Bonomo approving as presented. Passed unanimous.

Engineer’s Report: Mr. Mitrovich proceeded with the opening of the sealed bids received for the 2011 Roadway Improvement Program. The results were as follows:

Contractor	Contract A	Contract B	Contract C	Contract D
Diorio Paving Girard, OH	\$173,685.50	No bid	No bid	No bid
Youngblood Paving Wampum, PA	\$147,195.00	\$12,660.00	\$158,895.00	\$154,795.00

In order to allow for Mr. Mitrovich to review the bids received, he proceeded with his monthly report and Mr. Leiper noted that the results will be reviewed later in the meeting.

The status of the Southend Sanitary Sewer Project (CAP) was provided, whereby Greenawalt Excavating has completed 38 of the 39 service laterals. Restoration will begin shortly along with Fleming-Walker remobilizing to finish the work on Davidson Drive. WODA Development – final restoration (paving) has been done. At this time, Mr. Mitrovich noted that they satisfied their requirements of the bond. He also advised that two roads were resurfaced at no cost to the Township. Darlington Court – American Southern Insurance Company (bonding company) is working to complete the job this Spring. Status has not changed since last meeting.

Monthly Bills: Mr. Leiper went back to the approval of the monthly bills. Motion was made by Mr. Hoover approving the bills as presented. Seconded by Mrs. Bonomo, the monthly bills were approved as presented. Passed unanimous on a roll call vote.

Solicitor's Report: Mr. Ross distributed the second draft of the amendment to the Zoning Ordinance regarding provisions for electronic signs. The present Zoning Ordinance does not allow electronic signs. Mr. Ross advised that Mr. Fawcett, along with Mrs. Wagoner and Mr. Leiper rode through the Township and provided the recommendation to allow electronic signs in C-2 and C-3 and in the Preservation District, with the requirement of a conditional use permit. There are no residential properties in C-2 or C-3. The Preservation District is in the area of Brady's Run Park. The Township office had been notified by Mr. Tom King, BC Recreation Director that they would like to put in an electronic sign at the entrance of Bradys Run Park. This is the Preservation District, which would allow an electronic sign upon securing a conditional use permit. Mr. Ross advised that it would be appropriate for the Board to authorize the Ordinance be forwarded to the Beaver County Planning Commission and the Township Planning Commission for review and input. It was also noted that Mr. Hostetter had previously agreed to pay for the costs of the adoption of the Ordinance.

Motion was made by Mrs. Bonomo; seconded by Mr. Hoover authorizing the submission of this proposed Ordinance (as drafted) to the Beaver County Planning Commission and the Patterson Township Planning Commission for review and comment. Passed unanimous.

At this point, Mr. Mitrovich advised that he has reviewed the bids for the Road Improvement Program and is ready for action to be taken. By doing the entire list of roads originally proposed, the cost would be \$158,895.00. This would allow for Engineering costs and any other additional fees that may come along. Mr. Mitrovich noted that the unit costs for doing this program are very good. The action needed, on Mrs. Bonomo's recommendation as the Road Commissioner is to approve Contract "C". Motion was made by Mr. Hoover; seconded by Mrs. Bonomo approving Contract C in the amount of \$158,895.00, along with the additional Engineering Fees. Passed unanimous on a roll call vote.

Mr. and Mrs. Morack questioned the bid results and the action just taken. Mr. Mitrovich noted that resurfacing St. Andrews will cost a lot of money when done and offered an alternative. Since the current costs came in low, there may be funds available to do some spot

paving on St. Andrews. He offered to take a look at the roadway with Mr. DeLuca and come up with a recommendation for paving a portion of the road with the remaining resources.

Committee Reports: Building/Grounds/Finance – Mr. Bradow had no report.

Code Enforcement – Mr. Morrow's written monthly report was distributed for review.

Fire/Utilities – Mr. Policaro submitted 12 fire reports for a total of 125 hours or \$812.50. Motion was made by Mr. Policaro; seconded by Mr. Hoover approving the payment to the Fire Department for fire reports as presented. Passed unanimous on a roll call vote.

Parks/Recreation – Mr. Hoover advised that he will soon be walking the Park with Mr. DeLuca to determine what needs to be done in order to participate in the Inmate Program.

Public Works – Mrs. Bonomo advised of a receipt of a letter from David Policaro, 1506 19th Avenue concerning a water run-off problem from 19th Avenue. She advised that Mr. DeLuca installed a curb along Mr. Policaro's driveway; therefore, the problem is resolved.

Police/Township Office/COG/TCC – The monthly Police Report was distributed for review.

A letter of request for payment of unused sick days was received from Officer Bathgate. Motion was made by Mrs. Bonomo; seconded by Mr. Policaro approving the 10 days that he is requesting payment for. Passed unanimous.

An update was given by Mr. Leiper concerning the grievance filed by the Collective Bargaining Unit regarding turning in vacation time. The compromise reached by both parties was to go with May 1st (instead of April 1st). Chief Cindrich advised that all vacation requests (from the full-time police officers) have been turned in.

Mr. Leiper also noted the recent meeting held with the Borough of Fallston, who have requested to merge with Patterson Township. The purpose of this meeting was to review the feasibility study, which included in depth information concerning both municipalities as provided by the Township Secretary and Borough Secretary/President. The next meeting is scheduled for Monday, May 23rd of which Mr. Foreman (DCED Representative) will revise those items in the study that needed changed and bring with him sample Ordinances for consolidations. Mr. Leiper reminded the Board of Mr. Foreman's recommendation to include the Solicitor at this next meeting since it involves the adoption of an Ordinance. Mr. Ross noted that he is available to attend. Mr. Hoover noted the need to have available the value of Fallston's assets (property, equipment, etc.) at this next meeting. This information was not presented at the last meeting.

A discussion was held on a letter prepared and submitted to the Board from Chief Cindrich recommending the hiring of an additional part-time officer. His letter included the

recommendation to guarantee this officer hours on a weekly basis. His claim was that this method would save the Township money in the long run. A discussion was held on running two cars and/or two officers in the car at the same time. Running two cars would cost additional gas (of which the price of gas is extremely high right now); and Mr. Leiper indicated that he wasn't sure that an additional officer would save money.

Mr. Cindrich was asked to provide additional information. He explained that there is a candidate available on the current Civil Service list (Brad Geary) for hiring. He currently works for two other departments, of which his time is going to be reduced when an officer returns to full-time status in White Township. He claims that he would be available to Patterson Township. Chief Cindrich indicated that if he does not provide the Township with the required time, that he could be let go (considered to be an at-will employee). Mr. Ross corrected Chief Cindrich regarding the status of Officer Geary. Since he took (and is listed) on Patterson Township's current Civil Service Commission eligibility list, he is not an at-will employee. He would be hired under Civil Service regulations. Mr. Ross reviewed the First Class Township Code noting the requirement to hire all officers under Civil Service.

Mr. Hoover raised the question on whether the Board could take action against part-time officers who do not report to work when scheduled. Mr. Ross advised that it could be construed as "neglect of duty". Discussion was held on creating a policy; however, Mr. Hoover noted a valid excuse for not working would be because of working their primary job, which at times is the case. Mr. Leiper reminded the Board that the full-time officers have been working the overtime when a full-time officer calls off, for various reasons. This was as a result of a grievance some time ago, regarding the definition of overtime in the Collective Bargaining Unit Agreement. Officer Bathgate was in attendance and noted current practice has gone back to offering the open shifts to the part-time officers first, when there is a call-off as a means of saving the Township money. At this time, it was the general consensus of the Board to have Mr. Ross come up with a policy or procedure for part-time officers. This will be discussed at the next meeting.

Motion was made by Mr. Policaro; seconded by Mrs. Bonomo to approve all Committee Reports as presented. Passed unanimous.

Unfinished Business: None

Township Agencies: No reports.

New/Miscellaneous Business: The Secretary noted a recent inspection on the cannon at the Honor Roll. The inspection was to make sure that is out of service, of which it is. An inspection report was provided to the Township office and will be kept on file.

The Secretary had distributed a memo including proposals for a new copier. The current copier (Copystar 2030 Digital Copier) was bought in June, 2000 and is in need of replacement. The Secretary noted budgeting \$2,000.00 in the General Fund for 2011 to purchase a new

copier. Although a proposal was received from Konica Minolta (Pittsburgh based company), the recommendation was to upgrade with Tri-County Products (provided the current copier) to a Copystar 3040 at a cost of \$2,918.00. The quote from Konica Minolta was for a Bizhub C280 Copier at a cost of \$3,402.00/year for 3 years. This copier would replace the current printers being used for each work station. The Secretary requested permission to purchase the Copystar 3040 at a cost of \$2,918.00 (\$2,000.00 General Fund; \$918.00 Sewer Fund). Motion was made by Mr. Bradow; seconded by Mrs. Bonomo approving this purchase. Passed unanimous on a roll call vote.

Communications: Information was received from the Community Development Block Grant Program. The letter explained the requirement to opt out of the program every three years. If not notified, the Beaver County Community Development Program will include our municipality as a participant. Since it is not recommended to opt out, no action was needed. The Township will continue to be a participant.

An invitation was received to the Pennsylvania State Association of Township Commissioners Conference on June 22nd through 26th. At this time, the Boardmembers showed no interest in attending.

Executive Session: None needed.

There being no further business to be brought before the Board, motion was made by Mr. Hoover to adjourn. Seconded by Mrs. Bonomo, the meeting adjourned at 8:40 p.m.

Respectfully submitted:

Paula J. Wagoner, CMC
Township Secretary

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