

Patterson Township Board of Commissioners
Regular Meeting
September 14, 2023

The Patterson Township Board of Commissioners held their regular meeting on Thursday, September 14, 2023, 7:00 pm at Patterson Township Municipal Building, Beaver Falls. Following the call to order and Pledge of Allegiance, roll call showed the following all Commissioners were present; Commissioner Wagoner, Commissioner Inman, Commissioner Kristian, Commissioner Bartoe and Commissioner Kretschman.

Public Hearing: None

Minutes: The minutes of the regular meeting held on August 10, 2023, and Work Session on September 11, 2023 were presented for approval. Executive Session was held on August 29, 2023 for legal matters. A motion was made to accept the minutes of the regular meeting held on August 10, 2023 and Work Session on September 11, 2023, by Commissioner Inman and seconded by Commissioner Kristian; motion passes.

Public Comment/Visitors:

Brian Kaufmann – 4 N. Old Oak Drive – Resident came to the Board to dispute the current sewer billing process for new residents. He stated he purchased his home at the end of June and moved in the end of July and he should not be billed for Sewer until December as the Township billing is approximately 5 months behind water billing. He stated that any payments he makes prior to December should be credited to the billings once the Township has a water reading for him. Commissioner Wagoner advised that he is being billed the minimum per the ordinance and this is how the billing has been done for the last 25-30 years. Commissioner Kretschman advised that the resident is currently using sewer and this is what the minimum payment he is paying is being used for. Resident continues to dispute that what the code states and how billing is being completed is illegal in his opinion. Resident questions why the Township does not also send out quarterly billing. Attorney Fawcett advised the resident that he was not being billed for the previous owners usage, he was being billed the minimum billing until the Township receives a water reading from the water company, this is the fairest way to bill new residents in the Township until a reading has been obtained. He reiterated that Mr. Kaufman is living in the home and should be paying for the service he is currently using.

Robert Rose – 1411 3rd Street – Resident came to the Board to ask for permission to place a fence across the Municipal Authority's sewer right-of-way on his property. He would like to install a privacy fence for his dogs to be able to play in his yard without disturbing the neighbors. He states that the sewer manhole will be outside the fence. Attorney Fawcett advised that the homeowner would need to enter an agreement with the Township stating that should the Township need to remove the fence to access the sewer line that the resident would be responsible for replacing the fence. Commissioner Wagoner advised that the sewer line is owned by the Municipal Authority and the Township maintains the line. She requested that the sewer department meet with the resident to see exactly where they would like to install the fence to determine accessibility

to the manhole; following this review the Municipal Authority Engineer, solicitor and sewer department can review and have an agreement drafted for approval by the Board.

Timmie Wuenschel – 822 Darlington Road – property owner came to the Board to request approval to violate the Township noise ordinance in order to replace the roof on 822 Darlington Road overnight. He estimates that it should take 2-3 nights to complete; he would like to complete it on a Friday and Saturday night so the businesses would not have to close. He is requesting to begin at 9 pm and work until about 7 am. He will need to use small equipment to move supplies, as well as a nail gun to secure shingles. Discussion was held on options for repairing the roof. Attorney Fawcett advised that the Board does not have authority to circumvent ordinances for individual residents as this would be setting a bad precedent. Commissioner Wagoner also advised resident that as York and Villa are being paved, there should not be more dumping by utility companies back the allies as the trucks will violate the weight limits set for the roads.

Treasurer’s Report: The Treasurer’s Report for the General Fund, Sewer Fund and PLGIT accounts were presented by Secretary Christin Milnes. A motion was made by Commissioner Bartoe and seconded by Commissioner Inman accepting the reports as presented. After a roll call vote; pass unanimously.

Monthly Bills: The monthly bills for August/September were submitted for payment. Motion was made by Commissioner Bartoe and seconded by Commissioner Inman approving payment. After a roll call vote; pass unanimously.

Engineer’s Report: *Wyatt Dishler* presented his monthly report regarding the following items:

MS4 Program – the annual report has been completed and will be reviewed with Township next week. Public Works staff training will also be completed next week.

Park Stream Restoration Project – contract documents are prepared for bidding. Awaiting approval from DEP prior to advertising and bidding project. Probable costs for project provided in the amount of \$155,128.00.

Highland Rain Garden – design has been complete for bidding. Probable cost in the amount of \$94,300.00. A motion was made by Commissioner Inman to proceed with placing the Highland Ave. Rain Garden out for bid. Motion was seconded by Commissioner Kretschman. Motion passes. The County ARPA grant can be used for this project with the balance to go toward the stream restoration project.

2023 Road Program – Program is underway with work ongoing at this time. The paving is to be completed by September 22, 2023.

2024 Road Program – Field review and walkthrough was completed with Columbia Gas. The probable cost for road repairs was provided in the amount of \$110,457.00. The cost will be sent to Columbia Gas to be reviewed and approved for cost sharing. LSSE will also request a list of additional work to be done in the Township to coordinate additional

road repairs and an agreement to be entered. The proposed cost sharing would be as follows; Columbia Gas – \$67,964.43, Township – \$42,492.50.

PennDOT Multimodal Grant – Sidewalk improvements – updated drawing has been provided to the Township to correct some issues with slope when connecting to driveways; there will be 2 driveways that will be effected by this project. Township is currently awaiting the technical review approval from PennDOT. The probable cost for the updated scope is \$145,200.00.

Patterson Township Sewer System Operations – Field review was completed with Public Works Department in July. The next review will be at the end of this month. The next PADEP board meeting will be in October to review licensing application for Daniel Savilisky.

2022 CFA – Statewide Local Share Account (LSA) Grant – concept plan of Struby Ave. ADA parking lot and park entrance provided; change of scope will be submitted to CFA for approval.

2023 CFA – Statewide Local Share Account (LSA) – application will be submitted for Bonnieview Drive Stormwater improvements. Probable cost estimate is \$340,323.75. The resolution will be submitted at the October meeting for approval. The project would include installation of approximately 1,150 linear feet of 24 in and 15 in storm sewer line, 9 inlets and 4 storm manholes, as well as road restoration and type DW end wall with riprap apron.

Solicitor’s Report: *Ken Fawcett provided the following report:*

JSU Agreement – motion to approve/reject JSU settlement agreement – Attorney Fawcett provided a brief background with regard to this agreement for the residents in attendance. He advised that the Township has jointly filed suit with Patterson Heights, White Township, and West Mayfield against Beaver Falls and Aqua Pennsylvania Wastewater, Inc. as they believe they have a joint financial interest. The agreement is contingent on PUC approval of the sale of the Wastewater plant from Beaver Falls to Aqua Pennsylvania Wastewater, Inc. A motion to move that Patterson Township approve the global Settlement Agreement between Patterson Township, Patterson Heights Borough, West Mayfield, White Township, and the City of Beaver Falls and Aqua Pennsylvania Wastewater, Inc., that is contingent on PUC approval and closing of the sale of the wastewater treatment plant from the City of Beaver Falls to Aqua and to authorize the President of the Board to execute the Agreement on behalf of the Township was made by Commissioner Bartoe and seconded by Commissioner Inman. After a roll call vote; pass unanimously.

Bulk User Agreement with Aqua – a motion was made by Commissioner Kristian to move that Patterson Township approve the 3-year Wastewater Service Agreement with Aqua Pennsylvania Wastewater, Inc. to take effect upon PUC approval of and closing on the sale of the wastewater treatment plant from the City of Beaver Falls to Aqua, and

to authorize the President of the Board to execute the Agreement on behalf of the Township. Motion seconded by Commissioner Inman. After a roll call vote; pass unanimously.

COVID Policy – Attorney Fawcett advised that the current policy is incorporated into the Township’s Pandemic Policy. As there is not currently a pandemic declared, the following needs to be considered. During the Pandemic there were changes to the Heart and Lung coverage provided to Police and Firefighters, and COVID is now a covered item. As such, the Police must be paid for time off related to COVID, and at this time should not count against sick days or accumulated leave time. With this being said, the non-uniform employees are not covered under the heart and lung and can be asked to use their leave time. The policy should be, at a minimum, updated to be consistent with current CDC guidelines. Attorney Fawcett will review the policy and make revision for next meeting. Commissioner Bartoe asked if this could be discussed at the October work session to ensure uniformity for all employees and the board agreed.

A motion was made to update the section relating to returning to work to reflect “should be consistent with CDC guidelines for returning to work”, seconded by Commissioner Kristian, motion passes.

New Brighton School District Agreement – Attorney Fawcett provided a draft agreement for police services for New Brighton School District activities. The rate specifies \$145.00 for sports events and \$50 for other activities, with a 2-hour minimum. The agreement would be for this school year and could be renegotiated for the 2024/2025 school year. A motion was made by Commissioner Bartoe to proceed with the contract as written and seconded by Commissioner Inman. Commissioner Bartoe advised this amount includes the withholding for Pension, Workers Comp., and Social Security. After a roll call vote; pass unanimously.

Committee Reports:

Administration and Police – Commissioner Wagoner presented the following reports:

Police Report – Police Chief Stanislawski submitted his August 2023 report for review; no questions or comments presented.

COG, Finance, Fire & Emergency Management – Commissioner Bartoe presented the following reports:

Commissioner Bartoe thanked the Board for attending the COG Conference.

Financial Review – Commissioner Bartoe advised that at 69% of the year completed, the Township has collected 64% of the income and have used 53% of the budgeted expenses.

Commissioner Bartoe advised that \$16,728.15 was received this year for Fire Relief.

Callout service – Callouts for the month of August 2023 - 29 Calls (19 Fire/10 QRS), 64 Hours (48 Fire/16 QRS).

Fire Department Membership – A motion was made by Commissioner Bartoe to accept the applications of Jordan Lentz and Mercedes Plansisnis for membership at the Fire Department. Motion seconded by Commissioner Kretschman. Motion passes.

Commissioner Bartoe advised that the 2023 Municipal Fire Capital Grant has been denied. The Township had requested funds to replace garage doors and replace the body on the squad truck.

Public Works & Recycling – Commissioner Kretschman presented the following report:

Road Program updates – Covered under the Engineers Report.

Recycling Grant Updates – A motion was made by Commissioner Kretschman to remit payment in the amount of \$20,116.00 to Wastequip for the recycling bins. Motion seconded by Commissioner Inman. After a roll call vote; pass unanimously.

SealMaster – A motion was made by Commissioner Kretschman to remit payment in the amount of \$3,342.00 to SealMaster for the refinishing of the Township parking lot and crack sealing within Township. Motion seconded by Commissioner Bartoe. After a roll call vote; pass unanimously. This cost will be shared from general fund and liquid fuels.

2023 Snow Plow Drivers – A motion was made to hire James Malone and Anthony Campbell contingent on successful completion of drug screen and PSP background check. Motion seconded by Commissioner Bartoe. Motion passes.

A motion was made to bring back Philip Graeser, Nathan Hoover, and Kenneth LeClaire for snowplow. Motion seconded by Commissioner Inman. Motion passes.

Buildings & Grounds and Zoning – Commissioner Kristian presented the following report:

Update on pending projects - Commissioner Kristian advised that the bid for the repair of the Township office roof has been signed and returned; the bid was for \$300.00. He also advised that the Public Works department door repairs have been completed. Commissioner Kristian made a motion to remit payment in the amount of \$9,449.94 to Allegheny Door. Motion seconded by Commissioner Inman. After a roll call vote; pass unanimously.

Recreations and Community Life – Commissioner Inman presented the following report:

Commissioner Inman advised that the Ray Street park entrance work is still ongoing. He advised that he is currently working to obtain bids to have the tree removed.

Outdoor Christmas Decorating Contest – Commissioner Inman advised that he is currently working to get a committee together to organize a community Christmas Decorating contest.

Commissioner Wagoner thanked the Fire Department for a successful Community Day.

Code Enforcement – Report was received from New Brighton; no questions or comments at this time.

A motion to accept all committee reports as presented was made by Commissioner Inman and seconded by Commissioner Bartoe. Motion passes.

Unfinished Business: None

Township Agencies:

Planning Commission – the Planning Commission met on September 7, 2023 to review a subdivision plan for Ramer – this was a lot consolidation.

Communications:

1. Email – PennDOT – Notice of Outdoor Advertising Devices and Illegal Sign information.
2. ALOM – 2023 Compensation & Benefits Report.
3. Letter – PennDOT – Notice of estimated 2024 Liquid Fuels – \$95,871.74.

New/Miscellaneous Business:

Patterson Township Municipal Authority – Fourth Supplemental Lease payment – \$8,526.78 to Patterson Township Municipal Authority – Motion to remit payment. A motion was made by Commissioner Bartoe to remit payment in the amount of \$8,526.78 to the Patterson Township Municipal Authority for the fourth supplemental lease payment. Motion seconded by Commissioner Kristian. After a roll call vote; pass unanimously.

Fire Sinking Fund – Motion to transfer \$34,845.00 from PLGIT Fire Fund to PLGIT Fire Sinking Fund for yearly payment. A motion was made by Commissioner Bartoe to transfer \$34,845.00 from PLGIT Fire Fund to PLGIT Fire Sinking Fund for yearly payment. Motion seconded by Commissioner Kretschman. After a roll call vote; pass unanimously.

Resolution 2023-0015 – Motion to adopt Resolution 2023-0015 providing for the calculations of the 2024 Minimum Municipal Obligation (MMO) to the General Municipal Pension System. Township Secretary/Administrator Milnes advised that the rates for 2024 will be as follows – Police \$76,303 and Non-Uniform \$22,677. This is a decrease of approximately \$12,000 from 2023. A motion was made by Commissioner Bartoe to adopt

Resolution 2023-0015 providing for the calculations of the 2024 Minimum Municipal Obligation (MMO) to the General Municipal Pension System. Motion seconded by Commissioner Kristian. After a roll call vote; pass unanimously.

Joint Sewer Users – Quarter 3 Payment – \$56,301.48 to Joint Sewer Users – Motion to remit payment. A motion was made by Commissioner Kretschman to remit payment in the amount of \$56,301.48 to Joint Sewer Users for the third quarter payment. Motion seconded by Commissioner Bartoe. After a roll call vote; pass unanimously.

Public Comment - None

Executive Session: None

There being no further business to be brought before the Board, motion was made by Commissioner Inman to adjourn. Motion seconded by Commissioner Kretschman. The meeting adjourned at 8:40 p.m.

Respectfully submitted:

Christin Lyn Milnes

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