

Patterson Township Board of Commissioners
Regular Meeting
October 8, 2020

The Patterson Township Board of Commissioners held their regular meeting on Thursday, October 8, 2020 at 7:02 pm held via Video/teleconference. Following the call to order and Pledge of Allegiance, roll call showed the following Commissioners were present; Commissioner Inman, Commissioner DeLuca, Commissioner Hoover, Commissioner Wagoner, and Commissioner Bartoe. All Commissioners were present.

Minutes: The minutes of the meetings held on Thursday September 10, 2020, was presented for approval. Motion was made by Commissioner Hoover to approve the Meeting minutes from the September 10, 2020, seconded by Commissioner Bartoe Pass unanimously.

Public Hearing: None

Public Comment/Visitors: None

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 Wagoner; seconded by Commissioner DeLuca accepting the report as presented, Roll call vote; Commissioner Wagoner, yea; Commissioner Hoover, yea; Commissioner DeLuca, yea; Commissioner Bartoe, yea; Commissioner Inman, yea; Pass unanimously.

Monthly Bills: The monthly bills for September/October were submitted for payment. Motion was made by Commissioner Hoover; seconded by Commissioner Wagoner approving payment Roll call vote; Commissioner Wagoner, yea; Commissioner Hoover, yea; Commissioner DeLuca, yea; Commissioner Bartoe, yea; Commissioner Inman, yea; Pass unanimously.

Engineer's Report: *Mr. Larry Lennon, Jr.*, presented his monthly report regarding the following items:

DEP Notification- CAP response was provided to PaDEP in letter dated 22 September 2020

MS4- 2020 Annual Report was filed on 25 September 2020.

2020 Road Program- Final payment request was received along with final change order, contract is completed. Engineer Lennon requested a motion to approve the final change order with a credit in the amount of \$41,967.84. Motion made by Commissioner Wagoner to approve the final change order with a credit in the amount of \$41,967.84, seconded by Commissioner DeLuca Roll call vote; Commissioner Wagoner, yea; Commissioner Hoover, yea; Commissioner DeLuca, yea; Commissioner Bartoe, yea; Commissioner Inman, yea; Pass unanimously.

Engineer Lennon advised that a motion will also be needed to approve the first and final payment to Youngblood Paving in the amount of \$144,632.16 Motion is made by Commissioner DeLuca to approve payment in the amount of \$144,632.16 for the completion of the 2020 Road program, seconded by Commissioner Wagoner Roll call vote; Commissioner Wagoner, yea; Commissioner Hoover, yea; Commissioner DeLuca, yea; Commissioner Bartoe, yea; Commissioner Inman, yea; Pass unanimously.

2020 Road review will be scheduled and completed with Commissioner DeLuca in the coming months.

CFA Small Water and Sewer Grant Program- Engineers Lennon will work on a proposal for this project and submit to the Township for review to proceed with this project.

PENNDOT Multimodal grant: The grant cycle has reopened and the completed grants are due prior to November meeting. Should the Board wish to pursue this grant they will need to pass the Resolution for this tonight. Discussion was held. Commissioner DeLuca made a motion to adopt resolution 2020-014, seconded by Commissioner Hoover under discussion, Engineer Lennon advised that this is a 30% match program and liquid fuels funds can be used to make the match portion. Commissioner Bartoe advised what the time frame to complete the project would be should the grant be awarded. Engineer Lennon advised that the Township has 12 month to execute the contract once the grant is awarded and then 3 year from that date to complete the project. Roll call vote; Commissioner Wagoner, yea; Commissioner Hoover, yea; Commissioner DeLuca, yea; Commissioner Bartoe, yea; Commissioner Inman, yea; Pass unanimously.

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

Ordinance 473: Solicitor Fawcett advised that Ordinance 473 was posted for adoption. Ordinance 473 is proposed to increase the indebtedness of the Township by \$413,580.46 to purchase a 2021 Pierce Enforcer pumper. The terms with include a 15 year note with a 3.08% interest rate for 5 years with the lender having the ability to adjust the rate at years 5 and 10 not to exceed 15%. Any interest on late payments shall not exceed 15% plus a 10% penalty fee. The Township will set up a sinking fund with PLGIT. Payments will be due on or about the 15th of November of each year in the amount of \$34,845.00. This ordinance was published on Sunday 4, 2020 in the Beaver County Times. Attorney Fawcett open the floor to public comment and questions. No comments or questions were raised. Commissioner DeLuca made a motion to adopt Ordinance 473 as presented seconded by Commissioner Wagoner Roll call vote; Commissioner Wagoner, yea; Commissioner Hoover, yea; Commissioner DeLuca, yea; Commissioner Bartoe, yea; Commissioner Inman, yea; Pass unanimously.

Solicitor Fawcett advised the Board that there was an issue regarding the use of vacation and working additional special details for the Police department. He advised that if an officer is on vacation and chooses to work a special detail for which the Township is reimbursed, for the purposes of the Fair Labor Act; vacation is not regulated, and it never creates overtime. Vacation time is not counted as hours that are worked and does not increase the costs to the township. He advised the Board that they need to establish a policy for these special details, and should include language for being able to work special details while on scheduled vacation. Solicitor Fawcett requests a motion to approve a policy addressing vacation and working outside special details that are reimbursed to the Township Commissioner Hoover asked if an officer take a vacation and is called in for a call off shift, is this considered overtime. Solicitor Fawcett advised that Vacation is not considered hours worked, therefore the answer to Commissioner Hoover's question is no. Commissioner Wagoner of this should be a contractual or a personnel policy matter. Solicitor Fawcett advised that in his opinion this should be a personnel policy matter as if it is in the contract it then makes this a negotiable item. Commissioner Hoover makes a motion to include this provision in the personnel policy, seconded by Commissioner Bartoe Roll call vote; Commissioner Wagoner, yea; Commissioner Hoover, yea; Commissioner DeLuca, yea; Commissioner Bartoe, yea; Commissioner Inman, yea; Pass unanimously.

Zoning Officer Contract: Solicitor Fawcett advised that there was no motion previously passes to hire Mr. Owen Pella with the same compensation as the previous zoning officer. Commissioner Hoover made a motion to hire Owen Pella as the Zoning officer with the same compensation as the previous Zoning Officer; seconded by Commissioner Bartoe Roll call vote; Commissioner Wagoner, yea; Commissioner Hoover, yea; Commissioner DeLuca, yea; Commissioner Bartoe, yea; Commissioner Inman, yea; Pass unanimously.

Committee Reports: Public Safety –

Commissioner Inman presented the following reports:

Police Report– Police Chief Stanislawski submitted his September report for review. No comments or questions were asked.

Patterson Heights Police Contract: Secretary for Patterson Heights requested the proposed contract for renewal of Police Services. Patterson Heights is requesting a 3 or 4 year contract for their review. Commissioner Inman will prepare the contract for review and present for a vote at the November meeting.

White Township: White Township board member had approached Commissioner Inman with concerns regarding coverage. Commissioner Inman has went over new protocols with the Chief of Police. Commissioner Inman implemented additional traffic monitoring for each shift.

Police Contract: Commissioner Inman advised that Commissioner Bartoe and he did come to a tentative contract agreement with the Police Bargaining Unit. This tentative contract will be presented to the Board for approval at the November meeting.

Commissioner Bartoe presented the following reports:

Commissioner Bartoe made a motion to approve payment to Patterson Township Fire Department for 11 reports for 41 hours totaling \$266.50, seconded by Commissioner DeLuca, Roll call vote; Commissioner Wagoner, yea; Commissioner Hoover, yea; Commissioner DeLuca, yea; Commissioner Bartoe, yea; Commissioner Inman, yea; Pass unanimously.

Commissioner Inman advised the Board of the Fire Department's Open house on Saturday October 5, 2020 from 10 am- 5pm.

Public Works/Building & Grounds/Zoning/Land Use/Refuse/Recycling – Commissioner DeLuca presented the following report:

Commissioner DeLuca advised the Board that Leaf cleanup will begin on 26 October 2020.

Administration/ Finance/ Recreation and Community Life – Commissioner Wagoner presented the following report:

2021 Budget: Commissioner Wagoner advised the Board that the budget review has started. Recycling Contract has been placed out for bid. The Bids will be opened on 4 November 2020 at noon. The Bid was posted in the Beaver County Times and sent to the local companies. This will be a 2 year contract.

Pension: Commissioner Wagoner advised that herself as Finance Commissioner and the Township Secretary are currently reviewing the Pension, specifically for the Uniform plan to ensure that the Township is being reimbursed the correct amount to cover the taxes and the Pension costs. She advised that we also looking into ways to document this in the system so that the exact amounts received for the pension is earmarked for the Pension. Additional discussions have occurred with the Actuary to determine what the correct rate should be when requesting reimbursement for special details. Commissioner Wagoner advised that Board that when the Police are working extra details the Township needs to ensure that the amount the Township is reimbursed includes the amount needed to cover the pension for said wages.

Commissioner Wagoner suggested that when the Board starts budget meetings that they be held in person to discuss these items. Commissioner Wagoner suggested the use of the Fire Department for these in person meetings.

Government Affairs/ COG/ Civil Service – Commissioner Hoover presented the following report:

Civil Service: at the last meeting Secretary Milnes swore in all members of the Civil Service Commission. At this meeting the Commission discussed the following list of proposed changes to the Civil Service Ordinance

a. 38-16 “Clerical assistance and supplies”- Statute states that the CSC attorney “shall be one other than the township solicitor”. Commissioner Hoover requested Solicitor recommendations for the Civil Service Commissioner

b. 38-24 Availability of Applications- Recommend to add the ability of the Township Secretary to email applications as an option for applicants. We will still need a hard copy returned via in person or mailed in.

c. 38-25 Age and residency requirements- Recommend that the township expand the radius to 30 miles from the main police station.

d. 38-28 Application for Assistant Police Chief- Board of Commissioners voted in 2019 that the Police chief will conduct yearly reviews in September. No past reviews are currently in the system for police officers. Commissioner Hoover asked the Township Solicitor to review 38-28 since we have not been conducting reviews to see if the Township is protected in the event that there is a personnel issue.

e. 38-30 Recording and filing application- Recommend to change verbiage from “Municipal Officer” to “Township secretary” and change “Officer’s Designee” to “Civil Service Commission designee”. Commissioner Hoover advised, that at the meeting when we are discussing sending out an advertisement for a position, the designee will be established by the CSC.

f. 38-32 Public notice- Recommend to add the following: At least two weeks prior to each examination, publication of the notice shall be placed in at least one newspaper of general circulation in the township of Patterson and an alternative job posting service (i.e. online).

g. 38-36 Appointment of examiners; exclusion of Commissioners- Recommend to add the following: “If commission members must be used as administrators, they will not sit in on the appeal process if it occurs. The same two members will administer all testing.”

h. 38-37 Written examination- Recommend to add the following: If time does not permit a written letter, a verbal notification can be used. Waiver of the written notification must be signed if verbal notification is given.

i. 38-38 Oral examination- Recommend to add the following: If time does not permit a written letter, a verbal notification can be used. Waiver of the written notification must be signed if verbal notification is given. Police Chief to provide names to be contacted for oral interviews.

j. 38-40 Physical agility testing- Recommend to add the following: If time does not permit a written letter, a verbal notification can be used. Waiver of the written notification must be signed if verbal notification is given. Additionally, propose to use the “Beaver County Sherriff Office Physical Standard test for entry level positions” as the physical testing for Patterson Township police applicants.

k. 38-47 Provisional Appointment- Recommend to remove the work “three” from the statute in the event that there are not three candidates available.

Commissioner Inman advised that the motion for next month’s meeting would need to be to authorize the changes to be published in the Beaver County Times for Public Comment.

COG Meeting-COG Meeting was attended by Commissioner Bartoe who prepared and provided to Commissioner Hoover a report related to this meeting. This Report address the following items: a representative from the Office of Connor Lamb came to discuss COVID 19 relief payments. The representative advised that updates regarding this funding should be available at the October 22 meeting. The second item addressed at this meeting was House bill no. 1069 which proposed changes to the legislation relating to postings for public notice to include the electronic forms of communication. Commissioner Bartoe advised COG that before they voice their opinion on behalf of each Municipality, they should obtain approval from each municipality, this would allow each municipality to review the proposed legislation and consider its position as a board. The last item covered is the PENNDOT Virtual Innovation week and its 10 day free presentation sessions for public works, engineers and county and municipal officials.

Pension: Commissioner Hoover advised that he is completing a full investigation of the Pension contributions. His review shows that only the MMO amounts are being paid into the pension with no additional payments being made to fund the pension. He advised that Both Commissioners from the HR Committee; Commissioner Bartoe and Himself met with Township Secretary regarding the calculations of the Pension MMO payments, as well as reimbursement for the Police details. Commissioner Hoover advised that he will continue his investigations and will be researching when the last payments were made into annuities. Commissioner Hoover provided details from the Compliance Audit from June 20, 2020 and confirmed that the actual contributions matched the MMO amounts, with no additional amount being deposited into the pension. Commissioner Hoover reminded the board that the following amounts were remitted to the Police Pension Plan \$22,630- 2017; \$47,674- 2018; \$52,007-2019; \$63,940-2020 and projected \$86,579 -2021.

Code Enforcement – September Report provided

Motion was made by Commissioner Bartoe; seconded by Commissioner Hoover approving **all** Committee Reports as presented. Roll call vote; Commissioner Wagoner, yea; Commissioner Hoover, yea; Commissioner DeLuca, yea; Commissioner Bartoe, yea; Commissioner Inman, yea; Pass unanimously.

Unfinished Business: None

Township Agencies: None

Communications:

Letter- Commonwealth of Pennsylvania, Office of the Auditor General-Receipt of Volunteer Fire Relief Association Funds - \$15,131.30

Letter- Commonwealth of Pennsylvania, Office of the Auditor General- Receipt of General Municipal Pension System State Aid - \$59,085.99

Flyer- Allegheny League of Municipalities- Public Works Virtual training

New/Miscellaneous Business:

Patterson Township Municipal Authority 4th Supplemental Lease- Quarterly Transfer – Patterson Township Municipal Authority 4th Supplemental Lease- \$8526.78 Motion made by Commissioner DeLuca to approve payment to the Patterson Township Municipal Authority in the amount of \$8526.78, seconded by Commissioner Bartoe Roll call vote; Commissioner Wagoner, yea; Commissioner Hoover, yea; Commissioner DeLuca, yea; Commissioner Bartoe, yea; Commissioner Inman, yea; Pass unanimously.

Findley Invoices for Actuary fees-

Invoice- Findley- \$2,500.00 Actuary- Non Uniform Pension Plan- Paid from Huntington a motion was made by Commissioner DeLuca to pay Findley in the amount of \$2,500.00 for Actuary services for the Non Uniform Pension plan out of the Huntington pension account, seconded by Commissioner Bartoe Roll call vote; Commissioner Wagoner, yea; Commissioner Hoover, yea; Commissioner DeLuca, yea; Commissioner Bartoe, yea; Commissioner Inman, yea; Pass unanimously.

Invoice- Findley- \$2,880.00 Actuary- Police Pension Plan-Paid from Huntington A motion was made by Commissioner Hoover to pay the invoice for Findley in the amount of \$2,880.00 for Actuary services for the Police Pension plan out of the Huntington pension account, seconded by Commissioner Bartoe Roll call vote; Commissioner Wagoner, yea; Commissioner Hoover, yea; Commissioner DeLuca, yea; Commissioner Bartoe, yea; Commissioner Inman, yea; Pass unanimously.

2020 MMO Pension - 2020 MMO Pension Payment (Total payment- \$87162.00; Township share- \$28,076.01) Commissioner DeLuca made a motion to pay the MMO Pension Payment in the amount of \$87,162.00. (\$59,085.99 from State Aid and \$28,076.01 from Township funds) for 2020 Pension obligation, seconded by Commissioner Bartoe Roll call vote; Commissioner Wagoner, yea; Commissioner Hoover, yea; Commissioner DeLuca, yea; Commissioner Bartoe, yea; Commissioner Inman, yea; Pass unanimously.

Executive Session: None

There being no further business to be brought before the Board, motion was made by Commissioner Hoover to adjourn; seconded by Commissioner DeLuca. The meeting adjourned at 8:12 p.m.

Respectfully submitted:

Christin Lyn Milnes

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