

Patterson Township Board of Commissioners
Regular Meeting
October 14, 2021

The Patterson Township Board of Commissioners held their regular meeting on Thursday, October 14, 2021 at 7:01 pm held at Patterson Township Fire Department located at 319 Darlington Road, Beaver Falls. Following the call to order and Pledge of Allegiance, roll call showed the following Commissioners were present; Commissioner Inman, Commissioner Wagoner, Commissioner Bartoe and Commissioner Hoover; Commissioner DeLuca was present via telecommunication. All commissioners were present.

Public Hearing: Small Cell Tower Ordinance- Ordinance 477- Small Cell Tower Ordinance 477- Ordinance 477 would amend section 190 of the zoning code to add article 23 Wireless Telecommunications Towers and Antennas. This public hearing and ordinance was advertised in the Beaver County Times on September 28, 2021 and October 5, 2021. The Small Cell Tower Ordinance will address both standard and small cell towers within the Patterson Township limits. These changes are a result of changes in PA State law. Meeting was open for public comment, no comments or questions presented. Commissioner Hoover made a motion to adopt Ordinance 477, seconded by Commissioner Bartoe, Pass unanimously.

Minutes: The minutes of the meetings held on Thursday September 9, 2021 meeting, were presented for approval. Motion was made by Commissioner Wagoner to approve the Meeting minutes from the September 9 meeting as presented, seconded by Commissioner Bartoe. Roll call vote; held Pass unanimously.

Public Comment/Visitors:

Rebecca Frieler – *on behalf of Muriel Frieler-Rozmus- 1409 Struby Ave-* came to the Board to extend thanks for all of the Township’s cooperation with her and understanding where her water problem was originating from. She praised Joseph Cipolla and Gregory DeLuca for their prompt response to her complaint and would like to again thank them for pointing her in the correct direction to correct her water issue (the issue is at no fault of the Township). She also thanked the Board for the Road improvements on Fox Ave. her last request was to place a garbage can at the pull-off to the Park off of 8th Street.

Bert Robinson – *1309 Fox Ave-* advised the Board that he has been coming to the Board for over 5 years requesting repairs be made to Fox Ave. Today he was coming to thank the Board for the completion of the repairs to Fox Avenue as part of the 2021 Road Program. He stated the road is beautiful and makes the community look “classier”.

Kim Turnley –*Mark Turnley CPA Township Auditor-*Mrs. Turnley started by thanking Township office staff for all of their assistance and cooperation during this Audit year. She advised that he firm is contracted by the Township to perform the Township’s yearly financial Audit as well as submitting the required DCED report regarding the

Township's financials. She also advised the Township keeps the highest level of accounting possible, this type of accounting provides the highest level of financial information and is very helpful with applying for funding and bonding. Mrs. Turnley advised the Board that she has provided unmodified copies of the report, and everything is in compliance with all financial rules. For the 2020 Audit there were no findings or control issues. Mrs. Turnley reviewed specific items with in the report she provided regarding the revenue and expenses for all of the Township's accounts. They also provided an analysis of the Township's financials over the last 5 years and this showed that the last 4 of the 5 years the Township has been trending upward with regard to revenues. Lastly Mrs. Turnley advised that she will provide the Township office with all the required letters.

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 Bartoe accepting the reports as presented, after a Roll call vote; 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 after a Roll call vote; Pass unanimously.

Engineer's Report: *Wyatt Dishler.*, presented his monthly report regarding the following items:

Municipal Authority *CAP/DEP Notification*- Evaluation memo was presented to the Municipal Authority at their September meeting. This memo provided the findings of the flow testing and advised that additional testing is needed to determine where the infiltration is occurring along Steffin Hill. He advised that about 13,500 linear feet of sewer line will need to be cameraed, dye tested or smoke tested. Mr. Dishler advised that LSSE can provide a Service Order Authorization for the cost to move forward with this additional testing. Ned Mitrovich advised that the additional testing should all be completed at one time, however should this testing reveal that any work is needed to correct any of the findings, this can be divided over several years if needed. Commission Wagoner advised that as this topic was being discussed, she would like to address the issue under Township Agencies on the agenda. She advised the Board that at the Municipal Authority meeting held in September it was determined that a Joint meeting would need to be held with the Patterson Township Board of Commissioners and the Patterson Township Municipal Authority to discuss the options of moving forward, as well as the funding for moving forward. Bert Robinson (MA Chair) stated that the Municipal Authority is aware and addressing many of the issues with leakage associated with old and broke terracotta pipes, as well as addressing illegal connections into the sanitary lines. He concurred that the camera work is needed to determine the scope of the infiltration on Steffin Hill sanitary line and to complete this the Municipal Authority will need assistance from the Township. Per the engineers a Capital Improvement Plan is needed. The Memo to the Municipal Authority advised the preliminary investigation work including cameraing, dye testing and smoke testing is estimated to cost around \$140,000.00. Commissioner Bartoe inquired to the additional cost for any repairs, and

was advised by LSSE that this is not determined at this time, as it is dependent on the findings from the testing. Commissioner Wagoner requested that a joint meeting be held to discuss the options further, she advised the Municipal Authority's next advertised meeting is scheduled for November 17, 2021 at 7pm, she proposed that the joint meeting be held at this time. Attorney Fawcett advised that any joint meeting that will be held needs to be advertised. The Board is in agreement to set the joint meeting for November 17, 2021 at 7pm at the Township Office. Wyatt advised he will provide detailed reports regarding the flow testing findings at that time. Discussion was had with regard to previous work which was completed on the Steffin Hill sanitary line. Secretary Milnes will be sure to advertise this meeting in the Beaver County Times, as required.

MS4 Program- The annual progress report was completed and submitted prior to the deadline of September 30th. The DEP performed a virtual inspection of the Township's MS4 files. LSSE assisting and submitting all documentation to the DEP Auditor. We are still awaiting their findings at this time. LSSE submitted a Service Order Authorization in the amount of \$61,000.00 for the design and construction services from LSSE for the following storm water restoration projects; new Stormwater basin at Dixon Way, new Stormwater basin at Ray Street, new Stormwater basin at Highland Ave and stream restoration within the Township Park. Commissioner Wagoner inquired as to if ARPA funds could be used for these projects. LSSE advised that it is their understanding that ARPA funds can only be used if the project includes a water quality improvement aspect.

2021 Road Program- most of the work has been completed the only remaining items are restoration and sealing items. LSSE submitted Partial payment request 1 in the amount of \$351,343.68 (201,244.43 Patterson Township Share and \$150,099.25 Columbia Gas share). The Township is required per the terms of their contract to pay the amount in full and seek the agreed upon reimbursement from Columbia Gas. A motion was made by Commissioner Wagoner to Pay Youngblood Paving in the amount of \$351,343.68 (201,244.43 Patterson Township Share and \$150,099.25 Columbia Gas share) and to seek reimbursement from Columbia gas, seconded by Commission Bartoe. Under discussion Commission Bartoe aske Commissioner DeLuca if the work had been completed satisfactorily, Commissioner DeLuca advised that the work was completed correctly and satisfactory less the above items that are listed. Commissioner Wagoner advised that the motion should include a method of payment for this matter. Commissioner Wagoner amended her motion to include the following language- The Payment to Youngblood Paving shall be made as follows \$100,000.00 from the General Fund and the remaining amount due to be paid from the Township's Liquid Fuels account after a Roll call vote on amended motion; Pass unanimously. After a Roll call vote on the original motion; Pass unanimously.

CFA Small Water and Sewer Grant- Lindsay Drive: Highway Occupancy permit was submitted and has been received, this can be added to the November meeting for a vote to approve the advertising of this project.

PennDOT Multimodal Grant- Sidewalk improvements- Per the meeting held with PennDOT additional exhibits are needed and the Township will have 1 year to execute the agreement for this project with PennDOT.

Fern Ave Drainage Improvements- LSSE provided a Service Order Authorization for the Township's review to complete analysis of existing storm sewer and determine project scope and options. The Service Order Authorization was in the amount of \$9,500.00 Discussion was held regarding this SOA and the SOA was tabled at this time.

Recycling Grant- LSSE did prepare an exhibit and probable cost which was submitted by Secretary Milnes as part of the 2021/2022 Grant request.

2021 American Rescue Plan Act (ARPA) grant- County-LSSE advised the Board that they should submit the following projects to the County as part of their grant application which is due on November 1, 2021; PRP Plan implementation work and the Old Oak Drive and Fern Ave Storm Sewer project. This grant is an 80/20 match grant. Discussion was held on what types of projects can be included and cannot be included. LSSE also stated they could look into options for the Municipal Authority as well. Commissioner Hoover made a motion to approve LSSE to work with the Board to submit eligible projects to the County ARPA fund grant. Commissioner Hoover told the Board that they need to have more "Shovel ready" projects for when grant opportunities arise. Motion seconded by Commissioner Bartoe after a Roll call vote; Pass unanimously.

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

Resolution 2021-009-implementing permit fees and right of way use and maintenance fees for wireless communication facilities as follows:

Section 190-102(1)(p) Permit fee- \$500.00 per application for no more than 5 years plus \$100.00 for each collocated wireless communication facility exceeding 5 years.

Section 190-102(2)(d)- Annual Right of way fee \$270.00 per wireless facility;

Section 190-103(1)(z)- Permit fee \$1,000.00

Section 190-103(3)(e)- Reimbursement for Right of Way use -\$270.00 per telecommunication tower per year.

Attorney Fawcett advised that all of the fee amounts came directly from the State Statute. A motion was made by Commissioner Hoover to adopt Resolution 2021-009-setting wireless fees, seconded by Commissioner Bartoe after a Roll call vote; Pass unanimously

Committee Reports: Public Safety –

Commissioner Inman presented the following reports:

Police Report– Police Chief Stanislawski submitted his September 2021 report for review. No comments or questions were asked.

Trick or Treat 2021- Commissioner Inman advised that Board that Trick or Treat in Patterson Township will be held on Thursday October 28, 2021 6pm-8pm. This will be held rain or shine.

2021 Police Cruiser Update- Chief Stanislawski advised that due to COVID, the upfit of the new cruiser has been delayed. A completion date has not been obtained.

Officer Yolinsky Resignation- Officer Richard Yolinsky submitted a letter of resignation, a motion was made to accept this letter of resignation by Commissioner Hoover, Seconded by Commissioner Wagoner- pass unanimously.

Commissioner Bartoe presented the following reports:

Engine 90 Muncibid sale update- Commissioner Bartoe advised the Board that Spartan Engine 90 was placed on Muncibid for auction which ended on October 8, 2021 at 4pm. This sale was marked unsuccessful as the reserve was not met. The highest bid received was \$25,001.00 A motion was made by Commissioner Bartoe to contact the highest bidder and accept the offer of \$25,001.00, seconded by Commissioner Wagoner discussion held on the value of the truck and probable sale proceeds. Following a Roll call vote; Commissioner Bartoe- yes, Commissioner Wagoner-yes, Commissioner Inman Yes and Commissioner Hoover- No, Motion passes.

Monthly Fire Reports- Commissioner Bartoe made a motion to remit payment to the Patterson Township Fire Company in the amount of \$338.00 for August 2021 (35 Fire Reports; 52 Hours) and \$273.00 for September 2021 (35 Fire Reports; 52 Hours)

2021 Engine Purchase- Commissioner Bartoe advised the Board that the site visit for the new engine has been completed and a few minor changes were made. The truck will be delivered to Glick in Zelienople for the upfit to be completed. The changes included the following:

- Add rear axle hub covers : \$0.00 (Glick covered this)
- Change camera monitor mount to swivel: \$320.21
- Added stainless scuff plate to the top of the front bumper: \$331.99 (Glick covered half of the cost 663.98 total)
- Added a master switch for the electronic siren: \$238.66
- Added graphics for the cab doors and rear side compartments: \$1134.73
- Changes to crosslay webbing: \$502.73 (Glick covered half of \$1005.46)
- Total for changes at final \$2,528.32
- Minus the credit(from previous payment)of -\$141.07
- Brings the total of changes to \$2,387.25

Discussion was held regarding the change order, Commissioner Hoover thanked the Fire Department for all of their hard work and attention to detail with this truck. Assistant Chief Ferrazzano advised the Board that the truck had been delivered to Glick and that he had delivered the mounting materials to Glick and they should be completed with installation within 1.5- 2 weeks. A motion was made to pay the change order in the amount of \$2,387.25 to Glick Fire Equipment, seconded by Commissioner Hoover; after a Roll call vote; Pass unanimously

Membership- Commissioner Bartoe submitted an application for Rudy Vukas for Membership in the Fire Department, seconded by Commissioner Wagoner, pass unanimously.

DCED Regional Fire Study- Commissioner Bartoe advised that the Board had previously agreed to participate in the DCED study for the fire departments in this area of

the county. He is working to obtain the list of requested information from the Fire Department and the Township. Additionally Commissioner Bartoe advised that he had attended a Zoom meeting held by COG, the County Fire Chief Association, and Eric Brewer where the topics of optimizing staffing and equipment was discussed. This Municipal Fire Service workshop was led by the Beaver County Fire Association and they are working with DCED to complete a county wide study. Eric Brewer (911 center) confirmed that the new radio transition will occur in 2021. The 911 center is working to obtain grants to assist in the purchasing of the upgraded radios and equipment.

Donations-The fire department received a generous donation of 22 water and 22 smoke detectors from Riverview United Methodist Church. Commissioner Bartoe and the Fire Department extend their thanks.

Fire Department Social Auxiliary-Commissioner Bartoe advised that due to the loss of interest in volunteer firefighting there is a growing need for additional assistance with fundraising and community events. A number of community members have expressed interest in assisting with these types of activities, however they have no interest in the fire/rescue activities. The Fire department at this time wishes to start a Social Auxiliary and add Social members to their roster to take the pressure away from the firefighters and allow them more time at home with loved ones, additional time for training and reduce the level of "burnout" from constantly being involved with calls and other events for the fire department, at this time the fire department is seeking assistance and guidance from the Board and the Solicitor with regard to changing the bylaws and what regulations need to be followed. Commissioner Bartoe made a motion for the Board to authorize the solicitor to review the bylaws and agreement with the Township. Attorney Fawcett advised he can review and to check with the Workman's comp carrier with regards to coverage for events. He also advised that it is important to look at the Townships and the fire departments liabilities separately. Attorney Fawcett advised that he would be representing the Township's interests and the Townships Liabilities.

HR-Commissioner Bartoe reminded the Board that they had previously voted to not accept the resignation of Code Enforcement Officer Randy Morrow, following this vote Commissioner Bartoe did reach out to Mr. Morrow. Mr. Morrow has agreed to rescind his resignation and remain as an employee of Patterson Township in the capacity of the Code Enforcement Officer.

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

UCC Accessibility Report- Commissioner DeLuca advised the Board that the PA Department of Labor completed their 5 year review in accordance with §403.104(b) of the Uniform Construction Code. This audit concluded that there were accessibility findings.

Cummins Planned Maintenance- the annual maintenance contract is due for renewal. The Contract is a 3 year contract totaling after \$5,082.18 split over 3 years for a total of \$1,694.06/year to Cummins Sales and Service for the next three years, a motion

was made by Commissioner Wagoner to remit the payment in the amount of \$1,694.06 over three years to Cummins Sales and Service, seconded by Commissioner Bartoe a Roll call vote; Pass unanimously

2022 estimated Liquid Fuel Allocation- Notice was received from the State advising that the estimated allocation for the 2022 Liquid Fuels payment is \$92,022.43. This is only an estimation, and not a guarantee of funding.

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

*Actuary Meeting-*Commissioner Wagoner advised that the meeting with the actuary was held and they balances were reviewed all pension accounts. The Actuary confirmed that the annuities are Preference Plus variable annuities. The returns on the annuities are comparable to that received from the Huntington Pension funds. The Township was advised that both pension plans are funded at 99% at this time. Commissioner Hoover advised that his understanding was that if the Township wished to fund Annuities fully they were under funded, however if the pension is funded through the Huntington Accounts then it is funded at 99%. Commissioner Wagoner stated she did not see any issue with leaving the moneys that were currently in the annuities where it is at this time. It would be the decision of the Board how to address upon the time of retirement of the participant. This should be made on a case by case basis. A motion was made by Commissioner Wagoner to cash out the annuity in the about of \$13,657.96 and deposit into the Huntington pension plan, seconded by Commissioner Hoover; after a Roll call vote; Pass unanimously

*2021 MMO Contributions-*Commissioner Wagoner advised the Board that the State funds for the Pension have been received in the amount of \$57,567.39 with \$38,387.26 to Police Fund and \$19,189.13 to the Non Uniform Fund. Commissioner Wagoner made a motion to remit payment in the amount of \$112,706.00 to Huntington Bank to be applied as follows- \$86,579.00 to the Police Pension Fund and \$26,127.00 to the Non Uniform Pension fund, as per the 2021 MMO Contribution, seconded by Commissioner Hoover; after a Roll call vote; Pass unanimously

*2021 Pierce Enforcer Pumper Fire Truck-*Commissioner Wagoner made a motion to remit payment in the amount of \$34,845.00 from the Fire truck Sinking fund to KS State Bank for the annual Loan payment; seconded by Commissioner Bartoe, after a Roll call vote; Pass unanimously

Liquid Fuels Audit- Commissioner Wagoner made a motion to reimburse the Liquid Fuels PLGIT account \$8,116.36 due to an audit finding created by Secretary Keller, seconded by Commissioner Bartoe, after a Roll call vote; Pass unanimously

R. Smith Final Vacation/Sick/Personal- Commissioner Wagoner made a motion to make the final payout to R. Smith over Pay periods 21 and 22, Commissioner Hoover questioned if this was calculated based on the Personnel Policy, to which he was advised it was; seconded by Commissioner Bartoe, after a Roll call vote; Pass unanimously

Government Affairs/ COG/ Civil Service – Commissioner Hoover No report

Code Enforcement – September Report provided no comments or questions were asked.

Motion was made by Commissioner Wagoner; seconded by Commissioner Hoover approving **all** Committee Reports as presented after a Roll call vote; Pass unanimously.

Unfinished Business: Commissioner Hoover advised the Board that he is still working to plan a 5K run for 9/11 where 50% would be on Township Roads and 50% would be on park trails. Commissioner Hoover advised that he would like to use this event to use the history of the event and also make this a fundraising event for the Fire Department. He is currently working with Police Chief Stanislawski and Fire Department President Hank Crognale as chairs for the event. He plans on using statistics and times associated with 9/11 to educate youth. Commissioner Hoover is requesting cooperation with the Board on this project as he is not seeking re-election. He is currently working with Scout leaders and North Country Trails representatives regarding cleanup and maintenance in the Park. He stated he will provide a list of projects to the Road Commissioner for the Road Department to complete. Commissioner Hoover made a motion to provide Board authorization to move forward with the event. Attorney Fawcett advised that a waiver should be included in the signup and registration. The Board should also make sure that they have the necessary approval and coverage for the event from Insurance. Commissioner Inman advised he is still concerned as he feels the Park still needs to be surveyed. Discussion was held, no decision was made at this time, tabled to obtain additional information.

Township Agencies:

Municipal Authority Joint Meeting- previously discussed and meeting set for November 17, 7pm at the Township Office.

Communications: None

New/Miscellaneous Business:

Patterson Township Municipal Authority – CAP reimbursement request – Commissioner Wagoner made a motion to reimburse Patterson Township Municipal Authority \$25,000.00 of the \$41,000.00 promised in conjunction to the DEP CAP these funds will be paid from the Sewer Maintenance PLGIT account, seconded by Commissioner Bartoe; after a Roll call vote; Pass unanimously

State Fire Relief- State Fire Relief funds have been received in the amount of \$13,453.13, a motion was made to remit the State Fire relief funds in the amount of \$13,453.13 to the Patterson Township Fire Department as required by Commissioner Bartoe, seconded by Commissioner DeLuca, after a Roll call vote; Pass unanimously

Joint Sewer Users-Commissioner Bartoe made a motion to remit the quarterly payment amount of \$60,990.00 to the Joint Sewer Users, based off of the Quarterly bill which was received, seconded by Commissioner Hoover, after a Roll call vote; Pass unanimously

Executive Session: Executive session entered at 9:20pm to discuss a legal matter. Executive session ended at 10:21

There being no further business to be brought before the Board, motion was made by Commissioner Wagoner to adjourn; seconded by Commissioner Hoover. The meeting adjourned at 10:22 p.m.

Respectfully submitted:

Christin Lyn Milnes

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