

FALLOWFIELD TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting

June 24, 2015

Call to Order:

Supervisor Caldwell called the meeting to order at 6:00 p.m. prevailing time and led the Pledge of Allegiance.

Roll Call:

Fallowfield Township Supervisors met for their Regular Monthly Meeting on June 24, 2015, @ 6:00 p.m., at the Fallowfield Township Municipal Building, 9 Memorial Drive, Charleroi, PA. Supervisor Caldwell stated that we are running a little late because we had an Executive Session dealing with a contractual issue with the Road Crew and we will have the roll call and then I am going to change the format slightly. Roll call was taken and present were Supervisor Wilbur Caldwell, Supervisor Earl Sadler, Supervisor Bruce C. Smith, Secretary/Treasurer Karen Talbert, and Solicitor Thomas P. Agrafiotis.

At this point in the meeting, Supervisor Caldwell introduced Corporal Matthew Alexson from the Pennsylvania State Police, Belle Vernon Barracks. Corporal Alexson stated that Fallowfield is fairly quiet, compared to Bentleyville or Interstate 70. He reported that the State Police are down about 550 members. The Belle Vernon Barracks has just received seven new cadets out of academy but lost eight members to the Pennsylvania Turnpike. He stated that it is a revolving door with retirements, promotions, etc. He felt that they are doing a good job especially since they have to cover three counties, Westmoreland, Washington and Fayette. He mentioned Fallowfield getting their police force back and stated that you will not see us driving through your neighborhood because they do not have enough manpower to do that and stated we go from call to call. Supervisor Smith asked about the process that residents have to go through when they call 911. The Corporal stated that residents can call the State Police Barracks directly at 724-929-6262 rather than calling 911 then being transferred there.

Approval of Agenda:

Supervisor Caldwell stated that he had some items to add under New Business, i.e., Item A. – insurance issues; B. - rate increases; and C. – Kevech Road. He asked if there were any other additions to the Agenda and there being none, called for a Motion. Supervisor Smith made a motion to accept the Agenda as modified, second Supervisor Sadler. A roll call vote was taken:

RCV: Supervisor Smith - yes, Supervisor Sadler - yes, Supervisor Caldwell - yes.

Approval of the Minutes:

Supervisor Caldwell asked if the Board had reviewed the minutes of the Regular Meeting of May 27, 2015, and the continued meeting held June 12, 2015, both Supervisor Smith and Sadler responded, yes. Supervisor Caldwell asked if there were any questions, comments or

corrections to these minutes. Supervisor Sadler stated that he had reviewed them and made a motion to accept the minutes of the regular monthly meeting held May 27, 2015, second Supervisor Smith. Supervisor Caldwell called for any discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

Supervisor Smith made a motion to approve the minutes of the continued meeting held June 12, 2015, second Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

At this point in the meeting Supervisor Caldwell reported that an informational meeting was held on June 10th. Executive Sessions were held June 2nd and June 5th regarding negotiations and contract development with the bargaining unit.

Approval of the Bills and Payroll:

Supervisor Caldwell asked if everyone had a chance to review the bills and payroll for the month of June and Supervisor Sadler stated that he had reviewed the list of paid bills and unpaid bills and stated that they look in order and made a motion to approve them, second Supervisor Smith. Supervisor Caldwell called for any discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

Correspondence:

Supervisor Caldwell stated that we had received the following correspondence:

1. PennDOT letter stating that the Department over the last few months has been updating all state roads with legally posted speed limits of 35 mph hour or less and according to Motor Vehicle Code 6122, local authorities are responsible for posting speed limits of 35 mph or less, the roads on the attached speed log are your responsibility to maintain. Supervisor Caldwell stated that they turned over to us State Route 2079. Supervisor Sadler stated he was not sure where that was but he would take a look at it. Supervisor Caldwell stated that PennDOT had already put the sign up and we now have to maintain it.

Old Business:

A. **Status of Planning Commission initiatives** - Supervisor Caldwell stated that at the last Planning Commission Meeting there were a couple of local developers, financial people and property owners who attended. He stated that we are in the process of looking at our Ordinance with regard to Zoning and to continue our efforts to see if we can do some development within the Township, by development, new home development. He said that we have asked our Solicitor to look into a couple of different areas that are being used in other parts of the state by different Townships which allows Townships to have ability to help developers get programs started and entice growth within the Township. He further stated that we are also

in the process of updating the Zoning criteria and are also in the process of doing the codification, which is currently on schedule.

B. Park and Recreation Board Park Refurbishment Program:

1. Status of Commonwealth Financing Authority Grant application – Supervisor Caldwell stated that as of today, it has been recommended that we consider raising the amount of our matching fund of \$37,500.00 to \$42,700.00 for the Commonwealth Financing Authority Grant application. What this entailed was we had to increase the Phase II amount to be more than the \$250,000.00 asked for in the grant and in order to do that we moved something from Phase III into Phase II and the total project cost for Phase II is \$292,746.00. He explained that by increasing this to a \$5,200.00 match it shows that the Township is serious about the development of this park and it is more favorable for obtaining the grant.

Supervisor Caldwell made a motion to take funds from the Act 13 Fund in the amount of \$5,200.00 and move it over to the matching fund for this grant application increasing it from \$37,500.00 to \$42,500.00, second by Supervisor Smith. Supervisor Caldwell called for any discussion and Melvin Fox spoke from the audience. He asked why we are you putting so much money into the Parks and Recreation when we need so many things done in our Township, you are putting the cart before the horse. Supervisor Smith stated that even if we receive the grant, this \$5,000.00 won't be spent, the maximum amount of the grant was \$250,000.00, the part that we have already put aside as a match will cover that, all this additional \$5,200.00 does is shows that we are going to continue with this. Supervisor Smith further stated that this is going to be transferred into that account and even if we receive the \$250,000.00 that \$5,000.00 won't be touched. He further said that the only way that would be touched, if by some stroke of luck, they would increase the grant amount from \$250,000.00 to \$290,000.00 and I think if they would do that, we would be glad to kick in an extra \$5,000.00 for that, this is just a show of good faith. Supervisor Caldwell asked if there was anything else, and there being nothing further, called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

2. Special Park and Recreation Meeting Wednesday, July 8th at 7:00 p.m. – Supervisor Caldwell reported that we are having a Special Meeting on Wednesday, July 8th, at 7:00 p.m. and the consultant from HRG and Pashek will lay out the finalized plans of the park reclamation as well as the financing. This meeting is for the Park Board to bring to the Board of Supervisors and the public the entire program. He further stated that the Special Meeting is being advertised.

3. Car Cruise and Craft Show @ the Elementary Park for September 12th – Supervisor Caldwell reported that the Park Board is still planning on having the car cruise/craft show and the time has not been set as of this point.

C. Status of MS4 Storm Water Management – Supervisor Caldwell reported that as of this date, we have not done anymore with this, we are just waiting to get more information from the different entities and determine what we need to do to become compliant.

D. Status of Multi-Municipal Comprehensive Plan – Supervisor Caldwell

stated that we are still waiting for the LSA money to be approved and waiting on the County to determine what is going to be the next step.

E. Status of Sewage Overflow Project – Supervisor Smith stated that he attended the working meeting of ABC last week. He stated that he was expecting a little more solid information than he received. He stated that it seems that the plan that Chester Engineers presented to the DEP (85% capture plan) got a head nod from the DEP, which is a good thing but they do not have signed documents yet to proceed. He said ABC feels pretty good that it is going to happen but it is still like walking on egg shells until everything has been approved in writing. If it is approved (85% capture plan), it will reduce the original projected number of 60 million dollars down into the low 40 million. He further stated that this is still a very significant project but the 85% capture plan will reduce the cost significantly. He went onto say that this is one of those unfunded mandates that you hear so much about, the state just by waving a wand says you have to do this and come up with the money to do it. He said they also discussed ideas on how you could put pressure on Legislators, both at the state and federal levels, to help fund this project, this project more specifically, because the DEP is doing this because it is being mandated by the EPA (federal agency). He said that one of the ideas that was discussed was rather than relying on individuals to contact their local representatives, state congressmen or federal representatives, was that it be done in Petition form; everyone thought this was a good idea. Assuming the DEP puts their stamp of approval on the 85% capture plan, ABC will go to every municipality that they service and they will lay out this plan and the general consensus was to have the Petition ready for the public presentation meetings and ask people to sign the Petition to try and encourage our legislators to help fund these projects somewhat.

Supervisor Caldwell stated that at last night's regular meeting of the ABC Board, Frank Frascatore resigned from the Board leaving another opening on the Board. He stated that he has re-submitted his resume for the third time and wanted to take another shot at seeing if we can get representation for Fallowfield on that Board. He stated that will be determined at the next ABC.

F. Appointment of Emergency Management Officer tabled from previous meeting - Supervisor Smith made a motion to table this once more, second Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

G. Discussion to determine if Municipal Liens on delinquent taxes should be filed tabled from last meeting - Solicitor Agrafiotis stated that Mr. Ray was kind enough to fill in Keystone's form as best he could and he forwarded that to our contact at Keystone and is waiting to hear back from them with a quote or request for more information. Supervisor Smith made a motion to table this matter, second Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

H. Status of oil and gas title search of Township properties - Solicitor Agrafiotis stated that we own gas under four of our seven properties, so at some point; we may want to see if any gas drilling companies are interest. He also reported that we do, just like any

other property owner, own the gas under the road, and if they are going under our roads, then we should get something for that. Supervisor Caldwell asked if we need to do anything further on this or should it be dropped from the Agenda. Solicitor Agrafiotis stated that we could drop it for now but at some point we should reach out to see if anyone is interested.

I. Status and discussion of investigation of gas well ordinances and associated costs tabled from previous meeting – Solicitor Agrafiotis stated that he has a draft of that almost done, and that he has been working and working on it. He also stated as we discussed at the Agenda meeting, its' like taken on a life of its' own, it is over 20 some pages and he keeps adding to it and subtracting. He hopes to have a draft shortly. Supervisor Smith made a motion to table this matter, second Supervisor Sadler. Supervisor Caldwell called for any discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

J. Status of cell tower ordinance investigation tabled from last meeting - Solicitor Agrafiotis stated that he has about an 80% draft of that one also and stated he should have that for the Board soon. He stated that he has been working on the gas well ordinance, cell tower ordinance as well as the International Property Maintenance Code Ordinance, so those should all be done shortly in draft form. Supervisor Sadler made a motion to table this matter, second Supervisor Smith. Supervisor Caldwell called for any discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

K. Status of Redds Mill Bridge – did Chester Engineers' prepare a scope and advertise for bid or quote - Supervisor Sadler reported that due to all of the recent road emergencies, they did not have time to take care of this. He reported that they will be going out there shortly and if necessary, we could call a Special Meeting. The Solicitor reminded them that the Special Meeting for the parks on July 8, 2015, was advertised and it could be addressed at that meeting, if needed.

L. Status of repairs to Deambroggi Road – Supervisor Sadler reported that they had repaired Deambroggi Road according to what the Engineer required.

M. Status of Grange and Bentleyville Roads bridge project – Project deadline was jeopardized by DEP approval of plans. Should we officially request in writing an extension for completion – Supervisor Sadler stated that you have on here about an extension but we have nothing to do with that. He reported that we are currently on schedule, received all easements, DEP has approved everything as far as I know, if everything goes accordingly, we will have wheels on the bridge by August 31st. Solicitor Agrafiotis further reported on the status of the easements.

N. Status of Rodgers Manor phase one engineering – Supervisor Sadler reported that he did not receive it but the Engineer said that it was just about completed so it may be on for the next meeting

O. Status of emergency repairs to Terrace Drive. Chester Engineers was

to prepare a scope of work for quote – Supervisor Sadler reported that due to the significant rain fall we had, it started around May 16th, when we had four inches of rain, Terrace Drive was flooded. After the water went down, debris obstructed the inlet and we found that the inlet was too small and everything was starting to deteriorate. Supervisor Sadler stated that he had to call out Chester Engineers and we were ready to do something with that problem when another emergency arose on Holly Drive.

The Road Crew was working on Holly Drive when they discovered a small hole in the roadway. Supervisor Sadler reported that he instructed the men to open the hole up and when they just touched it with a backhoe, the whole side of the road fell in. He stated that this was caused by the deterioration of a cross drain. He further explained that this was part of the bridge assembly when street cars were used and due to the high water over a period of years the structure underneath had been damaged. He was again forced to call Chester Engineers to come out as well as a contractor, Steve Morgan, who was the only one who would come out.

Steve Morgan recommended we do both areas with the same size a 48” pipe which will necessitate closing the road totally for seven hours (Holly). He stated that this is not completely set because we have to order the material and have everything on hand and ready to go. He stated that these are both very serious situations and Chester Engineers is calling them both an emergency repair. He stated that these roads are the only way in and out for these families. He went onto say that you have to make sure that everyone is aware of the situation ahead of time including 911 in the event they need access. He stated that at the present time, we are still putting it all together. Supervisor Caldwell asked for a cost estimate for Terrace Drive. Supervisor Sadler stated that you need 160 feet of 48” pipe at \$50.00 per foot which is close to \$4,000.00; we are also hauling stone out of our own stone pile and you are looking at around 500 to 600 tons of stone; bringing in an excavator; three tri-axes; our man power on hand; using our backhoe to load their trucks; our men to flag, all to help cut costs. Supervisor Sadler said that an estimate of the cost could be anywhere from around \$30,000.00 to \$45,000.00. He also stated that Terrace Drive is about 15 feet deep so that is why our Road Crew is unable to do the job. He also stated that this was not the Township’s decision but Chester Engineers because we are in the creek so the DEP gets involved. Supervisor Smith ask if the collapse was restricting the flow and Supervisor Sadler said no, except down on Terrace but that was opened up by the Road Crew.

P. Opening of bids for double tar and chip project – The Secretary stated that we had received three bids, which were each opened individually, and provided to the Solicitor for his review. After review, the Solicitor stated that everything was in order and the bids were as follows:

1. Youngblood Paving, Inc., 2516 State Route 18, Wampum, PA 16157 - 26,700 sy double application of bituminous seal coat as per PENNDOT Publication 408, Section 470, at the unit price of \$2.234 for a total of \$59,647.80.

2. Russell Standard Corporation, P. O. Box 802, Mars, PA 16046 - 26,700 sy double application of bituminous seal coat as per PENNDOT Publication 408, Section 470, at the unit price of \$2.641 for a total of \$70,514.70.

3. Suit-Kote Washington, 20 Old Plank Road, Suite 200, Washington, PA 15301 – 26,700 sy double application of bituminous seal coat as per PENNDOT Publication 408, Section 470, at the unit price of \$3.12 for a total of \$83,304.00.

Supervisor Sadler made a motion to accept the lowest bidder, Youngblood Paving, Inc., at the unit price of \$2.234 for a total of \$59,647.80 with the payment funds coming from our Liquid Fuels funds, second Supervisor Smith. Supervisor Caldwell called for any discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

Q. Opening of bids for paving project - The Secretary stated that we had received three bids, which were each opened individually, and provided to the Solicitor for his review. After review, the Solicitor stated that everything was in order and the bids were as follows:

1. El Grande Industries, Inc., 384 Helen Avenue, Monessen, PA 15062 - BASE BID + ALTERNATE (Attachments #2 and #3): 855 tons Superpave Asphalt 9.5mm, PG64-22 SRL-G, <0.3 million ESAL's, as Scratch @ unit price of \$87.20 for a total of \$74,556.00 and 1,715 tons Superpave Asphalt 9.5mm, PG64-22 SRL-G, <0.3 million ESAL's, 1-1/2" compacted depth @ unit price of \$87.20 for a total of \$149,548.00 equaling a grand total of \$224,104.00.

2. Russell Standard Corporation, P. O. Box 802, Mars, PA 16046 - BASE BID + ALTERNATE (Attachments #2 and #3): 855 tons Superpave Asphalt 9.5mm, PG64-22 SRL-G, <0.3 million ESAL's, as Scratch @ unit price of \$96.75 for a total of \$82,721.25 and 1,715 tons Superpave Asphalt 9.5mm, PG64-22 SRL-G, <0.3 million ESAL's, 1-1/2" compacted depth @ unit price of \$96.75 for a total of \$165,926.25 equaling a grand total of \$248,647.50.

3. Morgan Excavating, 445 Cherry Blossom Drive, Belle Vernon, PA 15012 – BASE BID + ALTERNATE (Attachments #2 and #3): 855 tons Superpave Asphalt 9.5mm, PG64-22 SRL-G, <0.3 million ESAL's, as Scratch @ unit price of \$89.00 for a total of \$76,095.00 and 1,715 tons Superpave Asphalt 9.5mm, PG64-22 SRL-G, <0.3 million ESAL's, 1-1/2" compacted depth @ unit price of \$89.00 for a total of \$152,635.00 equaling a grand total of \$228,730.00.

Supervisor Sadler made a motion to accept the lowest bidder El Grande Industries, Inc. for the total sum of \$224,104.00 to be paid \$130,000.00 from the Liquid Fuels and the balance of \$94,104.00 out of general fund for the paving of Rodgers Lane, Ernest Avenue, Evans Road and Tower Street, second Supervisor Caldwell. Supervisor Caldwell called for any discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

R. Status of camera purchase – Supervisor Smith stated that there is no change regarding this matter. He did state that it is just a matter of us deciding which one and it does not matter where you purchase it, they do not discount it, the price is the same no matter where you go. Supervisor Caldwell asked if he should remove the camera purchase and Supervisor Smith stated it should be removed since the purchase and amount was previously approved.

S. Motion to adopt Resolution No. 460 certifying provision of Local Match for State Operating Financial Assistance to the Mid Mon Valley Transit Authority and payment of the Local Match in the amount of \$842.00 - The Secretary reported that this is the same thing that we have done every year since she began working. She stated that it has gone up slightly, it was \$630.00 last year and this year it is up to \$842.00 for the 2015-2016 year. Supervisor Caldwell asked what the match is used for and Supervisor Sadler stated that it is for our senior citizen's transportation. Supervisor Sadler made a motion to adopt Resolution No. 460 certifying provision of Local Match for State Operating Financial Assistance to the Mid Mon Valley Transit Authority and payment of the Local Match in the amount of \$842.00, second Supervisor Smith. Supervisor Caldwell called for any discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

New Business:

A. Insurance issues – Supervisor Caldwell briefly discussed the renewal of our liability insurance policy for 7/1/15 to 7/1/16. The upcoming policy has increased from \$18,934.00 to \$19,996.00 which is an increase of \$1,062.00. He stated that it includes increases in property values by 4% or \$40,749.00; increase employee count by one full time person; annual cost of adding 2015 Ford Caterpillar backhoe loader; Lincoln welder; 2015 International dump truck. Supervisor Sadler made a motion to renew our liability insurance renewal in the amount of \$19,996.00, second Supervisor Smith. Supervisor Caldwell called for any discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

B. Rate increases – Supervisor Smith stated that the workers' compensation does not look right and questioned what is sales person. The Secretary explained that our Code/Zoning falls under that category and that at the time we were paying less for Code/Zoning but now with Frank Monack and his salary over a whole year he has made more. She indicated that it is up slightly in office staff and then obviously with the Road Crew, it is up considerably, that forces the increase and the company also said that having the workers' claims hurt us. Supervisor Smith questioned some of the numbers and the Secretary explained that the numbers are taken from the 2015 Budget amounts. Supervisor Smith questioned if it included the Fire Company and the Secretary confirmed that it did. The Secretary explained that the worker's compensation claims raised a modifier that they use to calculate the premium. Supervisor Smith made a motion to renew our workers' compensation insurance policy in the amount of \$37,727.00, second Supervisor Caldwell. Supervisor Caldwell called for any discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

C. Kevech Road – Supervisor Sadler made a motion to adopt a Resolution to close Kevech Road, second Supervisor Smith. Supervisor Caldwell called for any discussion and there being none called for a roll call vote:

RCV: Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

Other Business:

None

Reports:

Parks & Recreation: Previously provided.

Planning Board: Previously provided

Solicitor's Report: Solicitor reported that he had sent an email on the House Bills as requested; worked on the right of ways for the Grange Road culvert replacement; Flood Plain Ordinance.

Code/Zoning/Building Report: The Secretary stated that she did not have a report from the Code/Zoning Officer.

Road Report: Provided by Supervisor Sadler.

Fire Report: Provided by the Secretary.

Animal Control Report: Provided by the Secretary.

Mon Valley Transit Report: Nothing available.

Public Safety Liaison: Provided by Supervisor Smith.

Public Discussion:

Carol Fox – Her brother's name on Honor Roll, repair of Lover Jonestown Road.

Larry Ambrose – Double tar and chip; gas well money for our roads; Chester Engineers bill for Dirt and Gravel Grant Application; vibrator tamper purchase.

Gary Ainsley – Cross drain accumulation on Evans Road.

Supervisor Caldwell stated that the date of the next work session is July 20, 2015, at 6:00 p.m., the next regular meeting is scheduled for July 29, 2015, at 6:00 p.m. and a Special Meeting will be held on July 8, 2015, at 7:00 p.m. There being no further business, the meeting was adjourned.



Karen Talbert, Secretary/Treasurer