

FALLOWFIELD TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
September 30, 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 the September 30, 2015, regular monthly meeting @ 6:00 p.m., at the Fallowfield Township Municipal Building, 9 Memorial Drive, Charleroi, Pa. Present were Supervisor Wilbur Caldwell, Supervisor Earl Sadler, Supervisor Bruce C. Smith, Secretary/Treasurer Karen Talbert, and Solicitor Thomas P. Agrafiotis.

Approval of the Agenda:

Supervisor Caldwell stated that he would like to move one item, Item I. under New Business, to Other Business and stated that the reason will be explained later in the meeting. He also stated that he had a couple additional items under Correspondence. Supervisor Caldwell asked if there were any other corrections or additions to the Agenda and there being none, called for a motion to approve the Agenda as amended. Supervisor Sadler made a motion to approve the amended Agenda, second by Supervisor Smith. Supervisor Caldwell called for discussion and there was none and called for a roll call vote.

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

Approval of the Minutes:

Supervisor Caldwell asked if there were any corrections or additions to the minutes of the regular meeting held on August 26, 2015, and if not, called for approval of the minutes. Supervisor Sadler stated that he had reviewed them and everything was in order and made a motion to approve the minutes as written, second by Supervisor Smith. Supervisor Caldwell called for 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 informational meetings were held on September 2, 10, 21 and 22, 2015.

Approval of the Bills and Payroll:

Supervisor Caldwell ask if the Board had reviewed the bills and payroll for the month of September and both Supervisor Sadler and Supervisor Smith stated that they had. Supervisor Sadler stated that he had reviewed the paid bills and unpaid bills and made a motion to approve the September bills and payroll, 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 reported receipt of the following correspondence:

1. Letter from John K. Tener Library requesting additional funding.
2. Letter from Atomic Capital Minerals regarding the mineral rights under a 11.18 acre tract of ground owned by the Township.
3. Advertisement from Cohen Law Group offering free legal assessment regarding cable franchise and wireless matters.
4. Public Notice Blast Renewal from Amerikohl Mining, Inc. about conducting overburden blasting between the hours of 8:00 a.m. and 12:00 p.m. 12:30 p.m. and 4:30 p.m. and 5:00 p.m. and 9:00 p.m. or dusk, weather permitting, every day except Sundays commencing October 21, 2015 and continuing through October 21, 2016.
5. Letter from the PSATS Unemployment Compensation Trust stating that the taxable wages have increased from \$9,000.00 to \$9,500.00.

Supervisor Caldwell ask if the other two Supervisors had any additional correspondence and they did not; however, the Secretary stated that she had received a letter from the Mid Mon Valley Transit Authority requesting that the Township commit to providing local match funding for the next five years. Supervisor Caldwell stated that could be discussed at the next working meeting. Supervisor Sadler stated that the Transit Authority wanted a reply by September 20th. Solicitor Agrafiotis stated that they could wait and basically they are strong arming us to make a five year commitment, when it is usually a year to year thing but if you want the service you have to go along with it. The Secretary said that Olga was going to come in to explain some of this but she is not here. Supervisor Caldwell said it can be discussed at the next working meeting.

Supervisor Caldwell also reported that the Fallowfield Township Road Crew had received a Legislative Acknowledgment for their care of the road leading to the Charleroi Cemetery and the Acknowledgment was given to John Grossi, Road Master.

Old Business:

A. **Status of Park and Recreation Board** – Supervisor Caldwell reported that the Board has a meeting coming up the first Wednesday of October at 7:00 at the Municipal Building. He reported that the Car Cruise was held on September 12, 2015, and Trey Tilghman addressed the Board and audience regarding the Car Cruise. He stated that despite the rain it was a good day, there was food to purchase, a D.J., the Fire Company was there; there was a Chinese auction. He also felt that had the weather been better, they certainly would have met their goals. Supervisor Caldwell provided a detailed financial report on the event and the total income was \$1,093.75, expenses were \$1,860.31 equaling a loss of \$766.56.

B. Planning Commission – Supervisor Caldwell reported that the Planning Commission has been meeting the first Tuesday of the month. He reported that they had the Zoning Ordinance done by Local Level Consulting but have not got anything back on that. He stated that the Codification was submitted to General Code on September 11, 2015, for final editorial.

C. Status of Multi Municipal Comprehensive Plan – Supervisor Caldwell reported that he talked with Susan Morgan and she wasn't sure of the status but they had applied for LSA funds. He stated that she did find out and confirm that North Charleroi and Speers did contribute their monies, so this is still moving forward and awaiting the LSA funding.

D. Appointment of Emergency Management Officer- Supervisor Smith stated that he was able to contact one of the candidates that is being considered, and he is in fact, interested. Supervisor Smith stated that he is currently out of town and that he will get together with him when he returns to discuss the requirements, etc. There was a discussion about tabling this matter and it was decided to just let this go without tabling.

E. Status and discussion of investigation of gas well ordinances and associated cost tabled from last meeting– Solicitor Agrafiotis stated that he should have the Ordinance done by the next Agenda Meeting at the latest now that the Codification and a few other things are out of the way. He further stated that it is the same thing with Item F. below but stated that we should send a draft of it to Cohen for a free legal assessment since that is all they do. Supervisor Caldwell ask, so you will take care of that, Solicitor Agrafiotis stated, yes. Supervisor Smith made a motion to table Old Business, Item E, 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.

F. Status of Cell Tower Ordinance investigation tabled from last meeting
- Supervisor Sadler made a motion to table Item F, 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.

G. Status of Redds Mill Bridge – Supervisor Sadler read an update he had received from Chester Engineers regarding the Redds Mill Bridge. He stated that Chester Engineers, prior to advertisement, reached out to prospective contractors to see if there was interest in the project in order to get multi comprehensive bids. He went onto say that they (Chester Engineers) are now getting positive responses and that it will go out for bid in October. He estimated the cost at \$35,000.00.

H. Status of Grange Road Culvert Project – Supervisor Sadler once again explained how the Township became involved in this project and how the project is being funded. He also stated that since the project involves going into the creek, the DEP is involved. He further stated that the DEP has been holding things up for the last, approximately, twelve weeks. He stated that the bid did come out on the project close to \$800,000.00 and that there were gas lines and water lines that needed to be moved. He went onto say that the water lines were moved; however, the gas line needed to be repositioned because the box bridge was going

to be sitting on the gas line. Supervisor Sadler stated that he recently found out that People's Gas is going to abandon that line and that the state did approve all work J5 Construction was doing, so we are hoping we get back in by next week. Matt Melvin spoke from the audience concerning the road closure signs.

I. Discussion of additional paving on Tower Street – Supervisor Smith stated that Chester Engineers was able to confirm that section of the road in question, is in fact, part of the Township Road and right of way. Supervisor Smith further stated that once that was determined, remedial work would be required before it could be paved, so that will not be done this year. Supervisor Sadler also stated that there is a second road, when you come off of Evans Road and it goes up onto Tower Street, that section of the road was actually never taken over by the Township, even though we do own it. He further stated that before it can ever be on liquid fuels, an Ordinance to take over the road must be done (it use to be called Brewer Street). The Solicitor ask if Chester Engineers was going to give us a description and Supervisor Sadler stated, yes.

J. Paving schedule of Evans, Tower, Ernest and Rodgers – Supervisor Sadler stated that the paving will have to be done within the next four weeks because they are not allowed to pave any municipality roads after October 30th unless you get an Engineer's approval. Gary Ainsley ask if this was going to happen this year, and Supervisor Sadler stated, yes, because if not they will be fined.

K. Amendment to Ordinance #219 passed last month regarding deletion of the Appeal Board section – Solicitor Agrafiotis stated that we passed Ordinance #219 at the end of July and that adopted the 2015 International Property Maintenance Code as the Township's official Maintenance Code. He stated that one of the provisions was for an Appeals Board and it is difficult finding anyone who is interested and also usually with those Board of Appeals there are going to be administrative delays and difficulties. He further stated that the Board of Appeals is not necessary or required, and the Board of Supervisors wanted to delete that section. He stated that the notice of Ordinance #221 was in the newspaper and it is ready for adoption tonight. He further stated that Ordinance #221 amends Ordinance #219 and deletes Section 4 on the Board of Appeals and abolitions the Board of the Appeals, all other provisions of Ordinance #219 remain in full force. Supervisor Caldwell made a motion to adopt Ordinance #221, 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. Review Citizens Bank increase in service charges. Compare to First Niagara, PNC and CFS Banking – Supervisor Caldwell stated that we had received information from Citizens Bank (our current depository) that there charges to us are going to be in the amount of \$25,635.00 every year. He further stated that after being questioned by the Secretary, Citizens came back with a revised amount of \$19,171.60. He stated that we contested that figure and they reviewed it again and came back with new numbers and there are two sets of numbers on there, based on volume, they are now down to around \$7,890.00 to \$6,690.00 in

service charges per year. Supervisor Caldwell stated that we should contact First Niagara, PNC and CFS Bank and ask for the same information here, Karen.

The Secretary reported that the Township paid nothing in the past, government bank was free, and now she received a notice the beginning of September that starting October 1st that they were going to charge for every check, every deposit, ACH debit, it is really high. The Secretary stated that Citizens was able to knock it down by making some account changes and that they (Citizens) would entertain a flat monthly fee which she would present to them if we came up with something. The Secretary stated that she was able to get a waiver for the month of October so she will use that time to go to all the local banks to see what their fees are. Supervisor Caldwell stated that the City of Monessen took their money out of Citizens according to the paper. Supervisor Smith ask what the difference was between the two types of accounts in the correspondence from Citizens. The Secretary stated that the difference was that accounts with little or no activity could be moved to a type of account that there would be minimal charges on. The Secretary stated that replacing all new checks for a different bank will be costly.

B. Hazzard Mitigation Resolution – Supervisor Caldwell stated that this came from the County and ask the Solicitor if he had reviewed it. The Solicitor stated that he had reviewed it and that he did not see any issue with it and it seems like a standard form that every municipality in the County is probably going to adopt. He also said that it does not make any kind of responsibility or duty on the Township, it is just that we support their plan. Supervisor Smith stated that adoption would get us off the hook of adopting our own and it automatically qualifies us for federal funding in the case of a disaster. Supervisor Caldwell stated that we need a motion to adopt the Washington County 2015 Hazzard Mitigation Plan as sent to us, Supervisor Smith, so moved, 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.

C. Authority of the Borough of Charleroi requesting sponsorship for LSA Grant application – Supervisor Caldwell stated that Ed Golanko from the Authority of the Borough of Charleroi contacted him and they are applying for a grant to do the Twin Bridge Road water line replacement and they are requesting a million plus dollars and they are requesting that we sponsor them for the LSA Grant Application. Supervisor Caldwell called for any questions or comments. The Solicitor stated that we would need a motion in the minutes that we are sponsoring and supporting their application since it is a Township Project, correct, Supervisor Caldwell that is correct. The Solicitor ask, there is no further responsibility for us than just putting it on paper, Supervisor Caldwell that is correct. Supervisor Caldwell made a motion to grant the request of the Authority of the Borough of Charleroi for sponsorship of the LSA grant application, 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.

D. Status of #10 Pigeon Creek Bridge Project – Supervisor Sadler reported that the project will be going out for bid this month but he was not sure when they would start. He also stated that they have to take the old bridge out and that it may be done by Spring of next year. Supervisor Caldwell ask if this was paid for by the County and Supervisor Sadler said it is County and he believed the cost was around \$387,000.00.

E. Discussion of Tar Buggy rental – Supervisor Sadler stated that in the Alta Vista Plan we have severe cracks in the roadway and the municipality took over all the roads in Alta Vista. He further stated that if we do not seal them, we may lose those roads. Supervisor Sadler checked on renting a Tar Buggy to seal the cracks and the cost was \$2,700.00 plus your manpower. In light of the rental cost Supervisor Sadler went to El Grande, Morgan Excavating and Joe Glemba. El Grande and Morgan Excavating were too busy but Glemba said would be available to do the job in about three weeks. His estimate was to crack fill the lateral ¼” and larger main roadways at Alta Vista Park (this does not include the seam where the concrete meets the roadway on both sides) the cracks will be filled with 500° rubberized crack filler for the sum of \$3,750.00. Supervisor Sadler stated to the Solicitor that since is below \$10,500.00 we are legal to do this job with one quote. The Solicitor stated that is correct but ou should always try to get more than one quote but since you could only get one then you are okay. Supervisor Sadler said he would like to try and get this done before winter otherwise it may be very severe. Supervisor Smith made a motion to accept Joe Glemba to do the repair on the Alta Vista Roads for \$3,750.00, 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.

F. Discussion of sale of 650 Ford Truck – Supervisor Sadler reported that we have a 2003 Ford 650 Truck (he also described the truck’s various equipment/attachments). He stated that the truck has 42,000 miles, brand new rubber and inspected. Supervisor Sadler stated that Hill International came out and appraised it at \$7,500.00 but he feels it is worth a lot more than that. There was some discussion about putting it up for bid and having the right to turn it down because you should be able to get a lot more than \$7,500.00. Supervisor Sadler stated that it is up to the Board, we can let it go for a while, let it set for winter. Someone from the audience ask if there were brake problems with the truck. Supervisor Sadler, stated, no, not really, there are disc brakes, hydraulic brakes, air brakes. Supervisor Sadler said we had all the discs replaced and calibers put on. Someone from the audience ask if it would be a closed bid. Supervisor Sadler stated, yes, it would be and we would have a minimum and we would have the right to turn them all down, correct Solicitor Agrafiotis? The Solicitor stated that you do not have to have a minimum amount but you can set one, you also put in your motion that you have the right to refuse all bids. Someone from the audience said that for that amount of money, would it not be worth a backup truck? Supervisor Sadler stated that is why I brought it before the Board. Supervisor Smith, what is your pleasure? Supervisor Sadler stated that we should just keep it for now and keep it as a backup and scrap the idea. Gary Ainsley stated keep it for a backup.

G. Setting of Trick or Treat date and time - Supervisor Caldwell stated that Charleroi’s parade is Wednesday the 28th from 5:00 p.m. to 8:00 p.m. and Trick or Treat is Thursday the 29th from 6:00 to 7:00 p.m., he doesn’t understand why they would not have it on Halloween (31st). Supervisor Sadler stated that a lot of people would rather have it on Saturday night between 5:30 p.m. to 7:30 p.m. Supervisor Sadler made a motion to hold Trick or Treat on Saturday, October 31st between 5:30 p.m. and 7:30 p.m., 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 ask if we had contacted the Fire Department and Supervisor Sadler stated, yes, they are ready to go.

H. Township Service Awards - Supervisor Caldwell stated that as to the Rach plague we need to discuss amending that from \$100.00 originally with tax to \$132.50 and there are two other businesses in the area, Gary Cooper and Frank Rauchfuss. He stated that Gary Cooper was in business from 1951 to 2011 and Frank was in business from 1948 to the present date. Supervisor Caldwell stated we need to decide if we would like to give them a plague. Supervisor Sadler made a motion to increase the price of the Rach plague from \$100.00 to \$132.50, 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 Sadler made a motion to purchase a plague for Gary Cooper not to exceed \$135.00, 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.

Supervisor Sadler made a motion to purchase a plague for Frank Rauchfuss not to exceed \$135.00, 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.

I. MS4 Monthly Status Report – Moved to Other Business.

J. Steelworkers Pension Trust – 2016 Minimum Municipal Obligation @ \$12,480.00 – The Secretary explained that every year Feaster Pension Consulting prepared this and the minimum obligation to the police is zero and for the Union Pension Plan that the Township participates in he set at \$12,480.00. She reported that some of that comes from the State, we do get municipal pension aid. For 2014 we got a little over \$9,000.00 and she was not quite sure what we will get next year. Supervisor Sadler made a motion to set the 2016 Minimum Municipal Obligation for the Steelworkers Pension Trust at \$12,480.00, 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.

K. Fallowfield Township Police Pension Plan – 2016 Minimum Municipal Obligation @ zero dollars – Supervisor Sadler made a motion to set the 2016 Minimum Municipal Obligation for the Police Pension at zero, 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.

Other Business:

Item I. – moved from New Business – MS4 Monthly Status Report – Supervisor Caldwell stated that the reason that this was moved because we recently found out that we are MS4 permitted. He stated that we understood some of it and were not sure about some of it;

however, in the meantime while we were gathering information and reviewing it, the State came in and audited us. He further stated that this is a multi-year program and it is going to take anywhere from one to five years to get everything implemented. One of the compliances is monthly you must have a recount to the residents of the Township and there is different criteria that we have to do. At that Audit, we elected Bruce Smith as our representative and contact to the DEP on the MS4 Program and he will be a liaison between the Board and the DEP and once a month this will be an Agenda item and it will be on the website.

Supervisor Smith stated that the audit was a big learning experience for the Board, part of our obligation is to communicate to the public things that you can do to help with storm water control, pollution control and things like that. He stated that as we are going through this audit procedure, there are a thousand things discussed and we ask the question where we get this information to present to the public. The DEP has promised to give us websites where this information is already available and you print it out, distribute it, and talk about it. He stated that we do not have that yet and, in fact, we still do not even have our written audit results back yet. He said it is just something that is going to be coming up, we are required to do it, we don't have anything to present tonight, it is kind of crazy, and the fact that we are discussing this gets us off the hook for this meeting. The whole point is to be pro-active in this matter, anything we can do is better than not doing it. So we have decided rather than just do the minimum we actually could get away with doing it monthly to get in the routine. Nice to see the Scouts here tonight and maybe we could do some kind of project with them and perhaps the Parks and Recreation and that kind of thing looks good to DEP we could use all the help and assistance we can get.

Reports:

Parks & Recreation – Provided by Supervisor Caldwell.
Planning Board – Nothing additional to what was previously provided.
Solicitor's Report – Nothing further.
Code & Building Report/Zoning Report – Provided by the Secretary.
Road Report – Road Master, John Grossi, spoke as well as Supervisor.

Sadler.

Fire Report – No report.
Mon Valley EMS Services – Provided by the Secretary.
Animal Control Report – Provided by the Secretary.
Mon Valley Transit Report – The Secretary read a report written by Olga

Woodward.

Public Safety – Nothing further.

Public Discussion:

Linda Stennett –Support for the John K. Tener Library.
Gary Ainsley – Service award plagues; stone on roadway; fracking; Safety Kleen bill; informational meeting.
Melvin Fox – Parks and Recreation.
Trey Tilghman – Nothing further.
Carol Fox – Robert W. Anderson (her brother and a veteran) being on the Honor Roll.

Supervisor Caldwell stated that the date of the next work session is October 19, 2015, at 6:00 p.m. and the next regular meeting is scheduled for October 28, 2015, at 6:00 p.m. There being no further business, Supervisor Smith made a motion to adjourn the meeting at 7:11 p.m., second by Supervisor Sadler.



Karen Talbert

Karen Talbert, Secretary/Treasurer