

FALLOWFIELD TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
January 27, 2016

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 January 27, 2016, regular monthly meeting @ 6:00 p.m., at the Fallowfield Township Municipal Building, 9 Memorial Drive, Charleroi, Pa. Present where Supervisor Wilbur Caldwell, Supervisor Earl Sadler, Supervisor Bruce C. Smith, Secretary/Treasurer Karen Talbert, and Solicitor Thomas P. Agrafiotis.

Supervisor Caldwell stated that the Executive Session that they already had was about 30 minutes in duration and that it was regarding a litigation issue.

Approval of the Agenda:

Supervisor Caldwell stated that there were some items to add to the Agenda. He stated that since our consultant is in attendance, immediately after the Agenda, we are going to drop down to Old Business, Items D., E., & F. Further, under No. 8 (Approval of payment of January, 2016, bills and payroll), we are adding the following: a. J5 Construction invoice; b. Chester Engineers invoice; c. American Rock Salt invoice; d. Chester Engineers again; and e. PSATS annual dues, these items all came in after the Agenda had been prepared. Finally, under New Business, Item D. – Instruct the solicitor to amend Flood Plain Ordinance No. 220 and Item No. E - Resolution to retain Mr. Edward Opst as the C.P.A. to audit the Township books. After questioning what year, the C.P.A. would be auditing, which was 2015, Supervisor Sadler made a motion to approve the Agenda as corrected, 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.

Old Business:

D. Motion to approve Ordinance #222 – Cell Tower – Supervisor Caldwell called for a motion to approve Ordinance #222 stating that a public hearing was held regarding this matter at 3:30 p.m. this afternoon. He further stated that he did not believe that there were any amendments to the Ordinance, the Solicitor stated, that is correct. The Solicitor stated that the Ordinance was advertised in last week's paper, so it is ready for consideration. Supervisor Smith made a motion to approve Ordinance #222 as explained to the public, Supervisor Sadler stated this is the Cell Tower Ordinance and I will second the motion. Supervisor Caldwell called for any discussion or public comment and there being none called for a roll call vote.

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

E. **Motion to approve Ordinance #223 – Oil and Gas drilling** – Supervisor Caldwell called for a motion to approve Ordinance #223, Oil and Gas drilling, stating that a public hearing was held regarding this matter at 4:00 p.m. this afternoon. He further stated that he believed that there were a couple of additions, that will be explained by our Solicitor which came from the Washington County Planning Commission. Solicitor Agrafiotis stated that at 4:00 p.m. we had the advertised public hearing, these are three zoning ordinances, and the County made one comment based on their review. Under Section 3 - Compressing Station, Section 4 - Processing Facility, Section 6 – Oil and Gas, there should be an additional sentence that any sub-contractors working on one of the sites for Compressing Station, Processing Facility and/or Oil and Gas Well, should have all the contact information for all those sub-contractors which should be provided by the individual developing the site. He further stated that at the public hearing all of the Supervisors thought that would be a good idea.

Solicitor Agrafiotis explained that if at the public hearing myself, the Supervisors, audience members or Zoning Consultant feels that there should be a change, which I rule as a substantive change, then we would not be able to consider the Ordinance for tonight and instead would have to hold a second public hearing, advertise it, have a stenographer present to review the substantive change. He stated that in his opinion, this is not a substantive change, so I recommend to the Supervisors that it is duly ready for adoption tonight, if you so choose, to adopt Ordinance No. 223, and advise me to include the change suggested by the County Planning Commission in the final draft to be signed by the Board. Supervisor Smith moved to approve Ordinance No. 223 – Oil and Gas Drilling Ordinance with the additions that Solicitor Agrafiotis just mentioned, second Supervisor Sadler. Supervisor Caldwell called for any discussion and/or public comment and there being none called for a roll call vote.

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

F. **Motion to approve Ordinance #224 – Amended Zoning Ordinance** – Supervisor Caldwell stated that at 5:00 p.m. we had a review of Ordinance No. 224 – Amended Zoning Ordinance and there were also some comments from the Washington County Planning Commission. Solicitor Agrafiotis stated that there were three hearings tonight, all zoning ordinances, the 5:00 o'clock hearing on Ordinance No. 224 is a substantive comprehensive zoning amendment to the full ordinance. The first two hearings were just adding provisions for oil and gas and also wireless communications facilities. He stated that the county reviewed Ordinance No. 224 and determined that there was a certain section that was incomplete. The Solicitor felt that when our Zoning Consultant, Chris, was formatting the Ordinance that there were three or four words that were left out of Section 12, Item 2, Subsection C. He further stated that the Zoning Consultant can explain further, but again in my opinion, and his opinion, it is not a substantive change to cause the re-advertisement and another public hearing.

The Zoning Consultant explained that the section referenced was within the Landscaping and the Buffer Yard section and it simply needed to have the phrase “and leaving the site” added. He stated that the reference there was to insure proper site distance with any landscaping that might be required near a driveway or access drive, so it is simply adding those words to the end of the sentence. Supervisor Smith moved to approve Ordinance No. 224, second Supervisor Sadler. Supervisor Caldwell called for any public comment. Melvin Fox spoke from the audience and ask, have there been many changes to it? Solicitor Agrafiotis asked, from the previous Zoning Ordinance from 1991, or the one change we just discussed, because if it is from

the previous Zoning Ordinance (No. 120) to the new one proposed, the whole thing has changed. Supervisor Caldwell spoke and stated that most of the changes were corrections to better explain what each area should entail and to give us a better opportunity to keep things in a normal pattern. The Solicitor stated for clarification, those changes were not made today at the public hearing, other than the one noted, Supervisor Caldwell is talking about the previous Ordinance No. 120. Supervisor Caldwell called for any additional questions or comments and there being none called for a roll call vote:

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

Solicitor Agrafiotis stated that he and the Zoning Consultant will make those minor amendments to the Ordinances and we will have them signed and sent to the County within thirty (30) days from today's date. Everyone thanked the Zoning Consultant. Supervisor Smith also asked the Zoning Consultant, the issue that we talked about regarding the Code Enforcement Officer, could you remind us about that via email so we don't lose track of that, and the Zoning Consultant stated that he would. He explained that any changes in the Ordinance that makes a property non-conforming, they are still grandfathered but the Zoning Officer can issue what is called a Registration of Non-Conforming Use so that protects the property owner in the future if Officials change, Zoning Officer changes, everyone is aware that it was legally grandfathered.

At this point in the meeting Supervisor Caldwell went back to:

Approval of the Minutes:

Supervisor Caldwell asked if there were any corrections or additions to the minutes of the regular meeting held on December 16, 2015, and if not, called for approval of the minutes. Supervisor Sadler stated that he had read the minutes and that they seemed in order and made a motion to accept the minutes of the regular meeting of December 16, 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 Caldwell asked if there were any corrections or additions to the minutes of the reorganization meeting held on January 4, 2016, and if not, called for approval of the minutes. Supervisor Sadler stated that he had read the minutes and that they seemed in order and made a motion to accept the minutes of the reorganization meeting of January 4, 2016, 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.

Approval of the Bills and Payroll:

Supervisor Caldwell called for any questions or comments regarding the original list of bills and payroll provided by the Secretary. Supervisor Sadler stated that some of these go back to December and also what might be confusing to everyone is that we changed banks and that is the reason there are so many checks. Supervisor Sadler stated that he read them through and to best of his knowledge they seem to be in order and made a motion to approve the bills and

payroll, second by 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.

a. **J5 Construction invoice** – Supervisor Sadler again went through the history of the Grange Road culvert replacement. He stated that there have been three other invoice payments to J5 Construction and that the project, at this point in time, is 94% complete and that the only work which remains to be done is to overlay with black top and repair the neighboring yards. Therefore, Supervisor Sadler made a motion to pay the J5 Construction invoice in the amount of \$126,806.81 to be paid out of the Grange Road Culvert account, second Supervisor Smith. Supervisor Caldwell called for any questions or comments and there being none called for a roll call vote:

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

b. **Chester Engineers invoice for Grange Road Culvert replacement project in the amount of \$11,486.62** - Supervisor Sadler stated that we made two other payments previous to this in the amount of \$53,443.90 and then another one for \$6,736.03 and then this payment here will be \$11,486.62 which comes to a total of \$71,665.74. He stated that this higher cost is because Chester Engineers sent an Engineer out to test the concrete and to make sure everything was done to State specifications. Supervisor Sadler made a motion to approve for payment the invoice to Chester Engineers in the amount of \$11,486.62 to be paid out of the Grange Road Culvert account, second Supervisor Smith. Supervisor Caldwell called for any questions or comments and there being none called for a roll call vote:

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

c. **American Rock Salt invoice** - Supervisor Sadler made a motion to pay American Rock Salt in the amount of \$14,461.76, second Supervisor Smith. Supervisor Caldwell called for any questions or comments and there being none called for a roll call vote:

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

d. **Chester Engineers invoice** – Supervisor Caldwell stated that this was for engineering services for research of the Fisher Property Development and landslide response in the amount of \$1,311.91. Supervisor Sadler made a motion to pay Chester Engineers the sum of \$1,311.91 from the General Fund, second Supervisor Smith. Supervisor Caldwell called for any questions or comments and there being none called for a roll call vote:

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

e. **PSATS annual dues** – Supervisor Caldwell stated that there was an increase in the PSATS annual dues. He stated that we originally approved the dues at the December meeting in the amount of \$1,623.00. After adding the new Emergency Management Coordinator, the actual amount of the dues was \$1,739.00. Supervisor Caldwell stated that we needed to approve the additional spent in the amount of \$116.00. Supervisor Smith, so moved, second Supervisor Sadler. Supervisor Caldwell called for any questions or comments and there being none called for a roll call vote:

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

Correspondence:

1. Supervisor Caldwell stated that he had received a letter from the Auditors and that would be discussed under Item K. in Old Business.
2. We received information from Pennsylvania American Water regarding a grant program up to \$35,000.00 but the project has to be an environmental project related to water.
3. Letter from FEMA approving our Hazard Mitigation Plan.
4. Letter from WPPC advising that they will be inspecting the circuits and lines in our area. This work will be performed by Davey and they will be in marked pickups and will be driving and/or walking to inspect lines. They may also work on Saturdays. Information will be posted on our website.
5. We received information on our Franchise Fee from Fairpoint in the amount of \$1,122.10 and for the fourth quarter from Comcast in the amount of \$18,521.16.
6. Letter from Bear Cats EMS letting the Township know that they are available to us and perhaps we should take a closer look at their response times and what they can do for us. Supervisor Caldwell felt that this should be passed onto our new Emergency Management Coordinator to investigate.
7. Supervisor Sadler stated that he received a telephone call from the Charleroi Area School District thanking the Township for an excellent job in helping to get the children home from school during the recent midday snow storm.
8. Supervisor Caldwell stated that he had received several emails extending best wishes to the Road Crew for the great job done on the road during the recent inclement weather.

Old Business:

A. Status of Park and Recreation Board Phase I & II – Supervisor Caldwell reported that the DCED still has not met which we believe is due to the budget impasse. The DCNR grant application is due mid-April and we will be starting to look at the funding for that and whether or not we have to withdraw the DCED grant request and modify it for the DCNR grant or what advice we might get as to which direction we should go. There will be more to follow regarding this matter.

B. Park and Recreation Board along with Wild Things Baseball, Fallowfield Township Community Day, July 16, 2016, to benefit park refurbishment – Supervisor Caldwell advised that the Park and Recreation Board is having a Community Day, Fallowfield night, at the Wild Things Park. He stated that there will be pick-up games between the Pony League boys and was not sure what league for the girls. There will be two ball games and will be an all-day affair on Saturday, July 16, 2016. This includes a Wild Things game at 7:05 p.m. Supervisor Caldwell showed a flyer regarding this matter and stated that you will see these flyers around the Township, it will also be on our website and we look forward to the members of the community participating in this event and supporting the park board.

C. Update activities of Planning Commission – Supervisor Caldwell stated that the Planning Commission has been working on the three Ordinances that were passed earlier in this meeting. At the next meeting he stated that they will be picking three initiatives for the Planning Commission to look at during the year, he also said that if you have something that you would like the Planning Commission to take a look at please let us know. He also stated that the Planning Commission meets the first Tuesday of each month at 7:00 p.m.

ITEMS D., E., AND F., WERE ADDRESSED ABOVE.

G. Status of Codification – Supervisor Caldwell stated that the three Ordinances that just passed, as soon as they are printed and signed, will be forwarded to General Code to be incorporated into the Codification Program and right now they are on hold awaiting this information from us.

H. Status of Grange Road culvert replacement – Supervisor Sadler stated that this project is about completed. He stated that the bridge is in and he went through some of the history regarding the project. He also stated that Bentleyville Road will never be used again. He said there will no longer be a bridge that goes over that area any longer, it will be taken out. The road will be left there in case of emergency and a gate will be installed. The only thing they need to do now is to put a 2-inch layer of blacktop and re-do people's yards.

I. Awaiting estimated pricing for office space at municipal garage per sketch provided. Will have preliminary information for discussion at the February working meeting – Supervisor Caldwell stated that we are waiting on price on the original sketch for the municipal garage complex. He hoped to have the preliminary information for discussion at the February working meeting.

J. Motion to approve HRG Consulting Engineering Services per quote dated December 7, 2015, tabled from December, 2015, meeting – Supervisor Smith made a motion to table this, second Supervisor Sadler. Supervisor Caldwell called for any questions or comments and there being none called for a roll call vote:

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

K. Contingency motion regarding Assistant Secretary/Treasurer from January 4, 2016, meeting – results of PSATS opinion – Supervisor Caldwell stated that at the Reorganization Meeting there was a question raised on a contingency motion regarding the Assistant Secretary/Treasurer from the January 4, 2016, meeting. He stated that he contacted PSATS and talked to a representative and according to State Code, the person that is assuming that position, is allowed to second the motion, if needed. He stated that the person is also allowed to vote for himself, that is not only for Assistant Secretary/Treasurer, but that is for any paid position that a Supervisor might hold, i.e., Road Master, Road Crew worker, if he is a Supervisor. He further stated that on January 6th, he contacted PSATS to get clarification on a couple of things. He stated that both he and Supervisor Smith wanted to know what were the responsibilities and authority of the Township Auditors. He said that he was able to talk to PSATS and set up an informational phone call and we had an information phone call on January 7th. The individual from PSATS explained the responsibilities of the Township Auditors and what they were allowed to do and not to do. Additionally, she advised us, after the fact, to not discuss it any further until tonight's meeting, which is in fact what we have done. Supervisor Caldwell turned the floor over to Supervisor Smith regarding a letter that the Board received from the Township Auditors.

Supervisor Smith spoke and said the letter from the Auditors is in reference to the salary for Assistant Secretary/Treasurer for the upcoming year. He said that the letter stated that it was

salary this year (2016) but going forward it will be changed to an hourly wage and there were some other stipulations. Supervisor Smith said let me say first, in going through and trying to find out all this information, we found out that there have been some procedural inefficiencies that were probably on going for an awful long time, some from us, some from the Board of Auditors and at some point we need to work through this and try to get back on the right track.

He said that the item we have added to New Business tonight about the C.P.A. and resolution should correct one of those. He stated that before he got into this thing about the salary, he had already submitted a letter to the Supervisors, Secretary and Solicitor, that he is waiving that salary or any dollar amount for the Assistant Secretary/Treasurer position. He stated that he did find out that however, according to statute, the Board of Supervisors are supposed to make a recommendation to the Board of Auditors, which we have not. The Board of Auditors, according to PSATS, are supposed to entertain that recommendation although it is up to them to set that salary. Normally, that salary would be set by the Board of Supervisors but since the person filling that position, at least for this year, is part of the Board, then it is up to the Board of Auditors to set that amount. According to PSATS, the Board of Auditors would then set a wage amount or salary amount period. It would then be up to the Board of Supervisors to determine how much of that would be weighed against what was being done. In other words, the auditors couldn't say up to so many hours or up to a dollar amount. They could simply set that wage or salary amount but they did suggest that needed to be done in an open to the public environment, an advertised public meeting, since it is financial business of the township.

He further stated that there are probably a couple of other things that need cleaned up between the two groups moving forward but I do not know if we have enough detail in front of us to get into all of that tonight but the matter for the salary of this year is a dead dog. Solicitor Agrafiotis stated we had that discussion at the reorganization meeting about Supervisor Smith abstaining just because there was compensation involved, which we did not know till that evening. He stated that he had also followed up with Scott Colburn, Solicitor for PSATS the next day when he talked to Bruce. The Solicitor said ideally, if there were two votes already, Supervisor Smith could have abstained but since we are only a three-member board, as we discussed that evening, he could vote for himself for the position. Additional since we are only a three-member board, he can also vote for himself for salary, which we just wanted to double check so everything is good and the motion was made contingent, so we are on the up and up.

Supervisor Smith said that according to the analyst from PSATS, her feeling is according to Second Class Township Code, once the Board of Supervisors have made this resolution to appoint an independent auditor to audit the books, she feels that is the end of the auditor's duties for the year. There are a couple other things that they are permitted to do but she felt very strongly that anything normally done by them once a C.P.A. is assigned, those duties are null and void and that is stuff that we are going to have to work through. He stated that he was sure a lot of the ideas are going to be questioned and we are probably going to get into some unpleasant discussions about it but that does not have to happen tonight.

L. Status of motion regarding appointment of Chester Engineers and related agreement – Solicitor Agrafiotis stated that he had a draft of a license agreement and that he will forward it to the Board tomorrow for their review and comment and then will get it out shortly thereafter to Chester Engineers. Supervisor Caldwell asked if there was anything else

they needed to do this evening and the Solicitor replied, no. Supervisor Caldwell called for questions or comments and there were none.

M. Correction regarding reappointment of Wilbur Caldwell to Planning Commission since his term does not expire until the end of 2016. Bruce Smith's term expired 12/31/15 and therefore his term is up for reappointment – Supervisor Caldwell stated that at the January 4, 2016, reorganization meeting the Board reappointed him to the Planning Commission since they thought that his term expired in 2015, when in fact, it was Bruce Smith's term that expired 12/31/15. Supervisor Smith rescinded his motion from the January 4, 2016, meeting to appoint Wilbur Caldwell to the vacancy on the Planning Commission. Supervisor Sadler also rescinded his second to that motion. A roll call vote was taken:

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

Supervisor Caldwell made a motion to appoint Bruce Smith to the Planning Commission for a five-year term, second by Supervisor Sadler. Supervisor Caldwell called for any questions or comments and there being none called for a roll call vote:

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

N. Status of appointment of Assistant Emergency Management Coordinator tabled from previous meeting – Supervisor Smith moved to table, second Supervisor Sadler. Supervisor Caldwell called for any questions or comments and there being none called for a roll call vote:

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

New Business:

A. Return of Bond in the amount of \$1,623.50 to Jack Kruell Aggregate & Mineral Consulting and Transport for the antiskid bid that expired on 12/29/15 – Supervisor Sadler made a motion to return the bond of \$1,623.50 for the antiskid bid that expired 12/29/15, 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. Motion to purchase extended warranty on 2015 International Terrastar 4 X 4 @ the cost of \$6,300.00 – Supervisor Sadler stated that this warranty is for sixty months, the transmission has its own warranty, but this is for the engine, electronics, injectors and after treatment for coverage for five years-100,000 miles @ the cost of \$6,300.00. Supervisor Sadler made the motion to purchase the extended warranty, 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.

C. Motion to return Road Bond from July, 2011, in the amount of \$25,000.00 to Hayden Harper Energy – Supervisor Sadler stated that this was done many years ago. He stated that there was supposed to be two wells drilled, one on Kevech and one on Lake Leoni. He stated that they never did drill the one on Kevech and since then he had EQT pave the roads. He further stated that on Lake Leoni they only pulled a piece of machinery out there one

time and the road is in the same condition as it was many years ago, so I am asking to return the \$25,000.00 bond on Kevech and Lake Leoni Road to Hayden Harper Energy, 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.

D. Amendment to Flood Plain Ordinance No. 220 – Solicitor Agrafiotis stated that we received notice last year from FEMA that we were going to have to amend our Flood Plain Ordinance in order to be in compliance with the new Federal rules and regulations. He further stated that as a part of the all that the municipalities in this area, were given a local agent and she was to help with the preparation of these ordinances since it is intricate federal law. He stated that the local agent prepared a proposed Ordinance for us and we passed it. Unfortunately, FEMA came back and said there was one thing in her ordinance that was not correct so we need to get that amended to make sure that our Flood Plain Ordinance is up to specifications. The Solicitor said we need a motion to authorize the Solicitor to prepare an Ordinance amending Ordinance No. 220 and to advertise it for potential adoption at the February regular meeting. Supervisor Caldwell said I will make that motion, second by 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.

E. Resolution to retain Edward Opst as the C.P.A. to audit the Township Books for 2015 – Supervisor Smith stated that the Resolution is just to state that we are going to use a Certified Public Accountant. The appointment of that person is separate from the Resolution. The Secretary spoke and said I believe we already appointed him at Reorganization. Supervisor Smith stated that this is one of the things that was never done historically but according to the Code this needs to be done by Resolution stating that we are using a Certified Public Accountant.

Solicitor Agrafiotis stated that we had a Resolution for this in 2014 and it was for Mr. Opst; the Solicitor stated that as he recalled, Mr. Opst made a proposal for multi-years but the Resolution was just for him to audit the 2014 books and that Resolution did pass. He also stated that we need to do one for 2015. The Solicitor stated that Supervisor Smith may have looked at this closer than he had but he thought we had to do an advertisement for it. Supervisor Smith questioned if we do it by resolution now does it have to be just for this year or can the Resolution state from this point forward until changed by subsequent Resolution. Solicitor Agrafiotis stated that may have been done for Seals and Demillion but I think the Resolution, you have to attach the agreement, so if the agreement is for only one year, then the resolution would only be effective for one year unless you enter into a multi-year Agreement. Supervisor Caldwell asked what do we need to do for this year. Solicitor Agrafiotis stated that you need to authorize me to do what is necessary, which could include potential advertisement, for this Resolution to be adopted at the next meeting, ratifying the motion at the Reorganization Meeting. The Secretary stated that Mr. Opst has been calling about wanting to come in and start the audit and she hoped this would not hold that up. Supervisor Caldwell stated that he did not see a problem. Supervisor Caldwell made a motion to authorize the Solicitor to do whatever is necessary, including advertising, to have this Resolution ready for adoption at the February regular meeting, second Supervisor Smith. Supervisor Caldwell called for any questions or comments. Supervisor Smith ask if you have to advertise, can we declare another means of advertisement tonight other than

the one we stated at the Reorganization Meeting, something cheaper. The Solicitor suggested that we discuss that matter further under Other Business. Supervisor Caldwell called for any further questions or comments and there being none called for a roll call vote:

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

Other Business:

MS4 Permitting – Supervisor Smith had nothing at this time.

Supervisor Caldwell stated that at the January Reorganization meeting we knew the Valley Independent was closed but we did not know if the Herald Standard would be in our area, so we elected at that time, to make the Washington Observer our newspaper for advertisements. He stated, can we now say we want to try the Herald Standard to advertise the Resolution. Solicitor Agrafiotis stated that you can make a motion to change your newspaper publication now that the Herald Standard is in general circulation in the Township. The Solicitor did state that since the Agenda was approved, we have to give anyone in the audience, the right to make a public comment on this new Agenda item. Supervisor Caldwell explained that the advertising costs for the three ordinances that were passed this evening were \$5,000.00 with the Washington Observer. Supervisor Sadler questioned rescinding the motion to have the Washington Observer as the Township place of legal advertisement; however, the Solicitor said that we already put that motion on the books and have used them for advertisement so there is no need to rescind. Supervisor Sadler questioned if we should just add the Herald Standard and have both. The Solicitor stated that you usually only have one. Supervisor Sadler was concerned that when bids are put out if not enough people see them it may hurt the Township. Gary Ainsley spoke from the audience and said that he liked the paper and liked the fact that Chris Buckley was working there. Jim Caldwell spoke from the audience and said he had a bad experience with an obituary that the Herald Standard was very high. Supervisor Smith suggested dropping the matter at this time until we can do a further investigation regarding costs. Chris Buckley stated that he could provide the Secretary with the name of the person in charge of the legal advertising at the Herald Standard.

Reports:

Parks & Recreation – Already provided.
Planning Board – Already provided.
Solicitor's Report – Nothing further.
Code & Building Report/Zoning Report – Provided by Secretary.
Road Report – John Grossi, Road Master spoke as well as Supervisor

Sadler.

Fire Report/Mon Valley EMS Services – Provided by the Secretary.
Animal Control Report – Provided by the Secretary.
Mon Valley Transit Report – Olga Woodward was not present.
Public Safety – Nothing further.

Public Discussion:

Gary Ainsley – Bentleyville Interchange project; good job done by road crew; don't skimp on salt in front of his house and fracking.

Supervisor Caldwell stated that the date of the next work session is February 15, 2016, @ 6:00 p.m. and the date of the next regular meeting is February 24, 2016, @ 6:00 p.m. There being no further business the meeting was adjourned at 7:17 p.m.



Karen Talbert

Karen Talbert, Secretary/Treasurer