

FALLOWFIELD TOWNSHIP BOARD OF SUPERVISORS
Regular Meeting
October 26, 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 October 26, 2016, 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.

At 6:01 p.m. Supervisor Caldwell announced that the Board was going into a brief Executive Session. The Board returned to the meeting at 6:25 p.m. and stated that the Executive Session was regarding a variety of legal issues.

Approval of the Agenda:

Supervisor Caldwell stated that he needed to add to the Agenda: Volunteer Fire Department Station #2 (doing that right after the Agenda), Item K. under New Business – Fox Stop Road Railroad Bridge, and Item O under Old Business – Authority of the Borough of Charleroi – revised Resolution. Supervisor Caldwell asked if there were any other additions or corrections to the Agenda. Solicitor Agrafiotis asked that Item L be added under New Business – Parcel consolidation request. Supervisor Caldwell called for the approval of the corrected Agenda and Supervisor Smith said so moved, second Supervisor Sadler. A roll call vote was taken.

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

Supervisor Caldwell reported that an informational meeting was held October 19, 2016. Supervisor Caldwell stated that a couple questions have come up regarding the Volunteer Fire Company's purchase of property which they are calling Station #2. Chief, Anthony Fleming and President, Alan Ferry were present for the Fire Company.

Supervisor Caldwell stated that there have been some concerns and said this will not be a popular topic and said he is not suggesting that anything illegal was done or that anything was irregular but it certainly does give the perception of improprieties by the Fire Company. Supervisor Caldwell said this goes back about a year and a half ago, when the Company you (Anthony Fleming) work for bought property off of the Fire Company. He stated that there was some issue with that, again not saying that anything was wrong with it, except for the perception of the Fire Company allowing property to be sold to a business that that individual worked for.

Supervisor Caldwell went on further to say that recently the Fire Company purchased property up on Colvin Road that is 3/10th of a mile from here, on a one lane road where there is no water or sewage and the ground will not perk. He said that part of the property has a steep hillside

but there is a two-car garage that is up there for parking trucks. Supervisor Caldwell stated that these things are bad enough but now you have a member of the Fire Department, maybe a member of your board, negotiates a deal to purchase the property from a relative. He said that he had heard that it was a father and son, the father owned the property and the son was the one that instituted or signed the paperwork. He said that he was not sure of the relationship but they are related, so again, there is the perception. He went onto say that people in the Township know that the Fire Company have fund raisers and a lot of people will go above and beyond and send extra donations in because they know the need of the Fire Company, they know the equipment is expensive, and yet you can come up with \$107,500.00 to purchase this property.

He stated that if you needed storage space for additional equipment, maybe you should have kept that property behind the Fire Hall and put a facility up there or maybe you should have looked to the Township, stating that the Township owns 7 or 8 acres across the street from the Fire Hall. Supervisor Caldwell said again, the perception is not good to what you guys did, in my opinion, and there were others that expressed this because we were contacted by several people about it, as to why we needed a substation. He also stated that the question was that if we legitimately need a substation or Station No. 2, why not put it at the end of the Township, maybe Van Voorhis, Ginger Hill or out by 917 or go up in one of the heavier residential areas. He said I don't know, I just think it was a bad move on you guys' part to do what you did, and yet that is my opinion, but there are others that share that and again it is a perception thing. I think that covers what the questions are, so if you want to respond.

Anthony Fleming spoke and stated that when the Fire Company sold the property to Howell Rescue Systems, that is one of the reasons that we brought it to the Township even though we were not required to. He stated that we were told that it was perfectly fine but I was to stay out of the deal, which that was done, so I don't know what else to tell you. He said that the Fire Company was given the go ahead and there was maybe 8 or 10 people at that meeting and yes it was sold to Howell Rescue Systems.

He stated that as far as the Colvin Road property, I do not know where you got that dollar figure, but that is way off. He said that the Fire Company and former township resident, Dennis Melvin, negotiated and Mr. Melvin took a big chunk of money off what he was asking and it was purchased for \$80,000.00. Supervisor Caldwell ask for the one lot, then it was \$20,000.00. Anthony Fleming replied, no, it was \$80,000.00 for the whole thing. Supervisor Caldwell said then that compounds the matter because I know for fact Lot 2, where the single two lots are and the garage, an individual up there offered him more than what was listed on the paperwork. He also said that he understands that you don't have to sale to who you don't want to but there are two deeds and two individual numbers and one is \$80,000.00 and one is \$27,500.00. There was some discussion between the Solicitor and Secretary who had done some research on the property and then Mr. Caldwell said, no, I am wrong it was \$80,000.00.

Anthony Fleming said at the time, the son was totally out of it, we negotiated with Dennis Melvin and he is not a board member. Alan Ferry stated that he had signed as President. Anthony Fleming offered to provide any information that the Fire Company may have regarding this matter. The Solicitor spoke and ask if it was the transaction from August 2016, and Anthony Fleming replied, yes, Dennis Melvin was the grantor.

Anthony Fleming went onto say that as far as the storage, maybe you are right, maybe it would have been nice to build up there before we sold it. He stated that the Fire Company did approach the Township in the past about the property across the street from the Fire Hall and said they were told that it would not be for sale and the last they knew the Township was trying to get a Sheetz to come in there and the property was not available and nothing would be built there. Supervisor Caldwell ask when was this and Anthony Fleming replied, about four years ago. Supervisor Caldwell said, do you see a Sheetz down there and Anthony Fleming replied, no. Supervisor Caldwell said why not ask the question and Anthony Fleming replied, maybe we should have but we were told before that it would not happen.

Supervisor Caldwell said, I think you wasted \$80,000.00 myself. Anthony Fleming, said, I hope we didn't, we do not have any set plans for it, the idea was to buy it because it became available, and we are not planning on doing a fire station out there, we don't have any set plans. Supervisor Caldwell stated, you have a sign up there that says Station #2 and Anthony Fleming replied, yes, we do because we are keeping the UTV there with trailer and maybe a squad or pickup vehicle. Supervisor Caldwell said on a one lane road out in the middle of nowhere that is 3/10ths of a mile from the Fire Hall. Anthony Fleming said that is because we are out of room and if we want to expand to provide the best we can for the township, we must expand somewhere.

Allan Ferry spoke and stated that it is one mile away which if we have a brush fire you can go there and get the gator and brush truck and bring it down to the brush fire. He also said that we usually have them staged somewhere else. Supervisor Caldwell again reiterated that it is the perception that looks bad, you spend \$80,000.00 when you might have been able to do it for a considerable amount less and been right across the street. Anthony Fleming said well then maybe we would like to entertain that. Supervisor Caldwell asked how are you going to do that now that you bought that property. Anthony Fleming stated, that is alright, we have options whatever is best for the community, at that point we thought that was the best thing to do, anything is for sale, we could sale that property up there. He went onto say that as far as putting something at the far end of the township, we have tried memberships drives, they are not successful. He said that to put something out there would in my opinion, be a waste of money because there is nobody out there to use it. Supervisor Caldwell said it is just because the perception was that it was going to be a substation and if you needed a substation, it should be somewhere within reason, that is all, or some place where it would be utilized.

Anthony Fleming asked what was the question about the people giving donations. Supervisor Caldwell said a couple people spoke to me about it, you do fundraisers, fish fry, motorcycle ticket, and you send letters out and there are older people who periodically just say I am taking X dollars that I have extra to send down to the fire company because we understand what is going on. He went onto say that then suddenly, they can go buy 11 acres of property, what is the deal here we thought we were giving money for equipment and now we find out they have enough money and go out and buy property. Anthony Fleming said that the only way we could afford the property was with money that was saved through the sale of the other property and the leasing of another piece of property we own in the Township that was given to us and now we lease out and some savings we had or we would never have been able to afford it, so that is how it was bought. He also explained that they have another gentleman who is looking to donate four to six acres in the Township to the Fire Company although it had not gone through yet.

Anthony Fleming said, I apologize for this but I can assure you that we are here for the community and that is what we want to do and if anyone else feels that way I apologize I have dedicated my life to this community. Supervisor Caldwell said no one is questioning that. Allan Ferry spoke and said it costs us a lot of money a month to run that Fire Company. He said that costs at least \$10,000.00 to \$15,000.00 per month and all the tools and trucks.

Supervisor Smith said you must understand, that when people pose these questions to us, I say I don't have any answers but I will find out. Anthony Fleming said that one of the ideas for the property was maybe in 10 to 20 years, they could subdivide and build homes out there and make it a fund raiser when we sell the property, if that happens. He said they talked about a park for kids so they stay off the streets and have somewhere to go. Supervisor Caldwell said, you have a park not more than 3/10ths of a mile away from there. Anthony Fleming said, not just a park only but if anything ever happened out there we could include a park with it. He said there were talks of a radio control park to give kids and adults something to do together in the Township. He said that there was talk years ago, about grant money where the fire company and municipality can combine and have a municipal complex which would work off the Kennedy Road access that was another idea, so the ideas are endless and I think there is a lot of potential but I don't think anything is going happen anytime soon.

Anthony Fleming said and if you want to sell that property across the street and we can resell the other property and make some money, we are all about making money because that is the only way we can survive down there. The Supervisors were asked if there was anything else and all said, no, and Supervisor Caldwell said he appreciated them explaining it. Anthony Fleming asked should we have come to the Board and said we are buying this property and Supervisor Caldwell replied, we think so. Supervisor Smith said as a courtesy, yes, as a requirement, no. Supervisor Caldwell said the other thing is I think your Deed is wrong, I will find out but I think your Deed is wrong. Anthony Fleming said that goes back to Attorney Mudrick. Allan Ferry ask so you think there are two partial lots down there. Supervisor Caldwell replied, I know there are two partial lots there they border on my property. Allan Ferry said he gave me one deed. The Secretary stated that there should be two parcel identification numbers on there because there are two distinct different numbers. There was some more discussion about the property lines. Anthony Fleming again reiterated about the Township selling this property across from the Fire Hall and Supervisor Smith said we can discuss it. Supervisor Caldwell said we can discuss it or a little bit of it or whatever is needed for equipment.

Approval of the Minutes:

Supervisor Caldwell asked if everyone had received a copy of the minutes of the September 28, 2016, regular meeting and all replied, yes. Supervisor Caldwell called for a motion to approve the minutes, Supervisor Sadler made the motion to approve the minutes of the regular meeting held on September 28, 2016, second Supervisor Smith. Supervisor Caldwell called for any discussion and there being none called for a roll call vote.

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

Approval of the Bills and Payroll:

Supervisor Caldwell called for approval of the payment of the October, bills and payroll, said motion being made by Supervisor Smith, with a second by Supervisor Sadler. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

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

Correspondence:

Supervisor Caldwell reported the following correspondence:

1. Supervisor Caldwell stated that we received notice of Act 93-Ordinance No. 149 and asked if that was taken care of. The Solicitor ask the Secretary to send him the Ordinance and he said that he will take care of it.

2. Supervisor Caldwell explained that the LSA money that we normally receive from the County (Secretary reported around \$43,000.00 for the first two quarters with one more quarter to come in) which is around \$80,000.00 to \$90,000.00 per year, based on the Supreme Court decision everything was put on hold for 120 days so that the legislature can look at the law and see if they want to change it. He said it sounds like they might rule it unconstitutional and the local share money might disappear but it is not clear at this point.

Old Business:

A. **Status of Multi-Municipal Comprehensive Plan Committee** - Supervisor Caldwell advised that the Committee met (October 3rd) and they are going to meet again on November 17th. He stated that they have picked out some priorities based on their public meeting and if anyone is interested in it, they could come up and he will show them what they have been talking about at those meetings.

B. **Motion to purchase GameTime playground equipment for Elementary Park per quote dated 10/10/16** - Supervisor Caldwell stated that we have talked about this at the last couple of meetings and it is about putting playground equipment at the Elementary Park. He provided a hand out and said that attached is the latest quote from GameTime 10/10/16 and it also shows what the dollar figure is, the sub-total being \$133,773.00. He stated that we received a grant from GameTime in the amount of \$46,010.00, the estimated freight is \$6,037.84 and the total amount is \$92,800.84. He said that is the same quote that we received and attached is correspondence that he had with their representative stating that they will hold the freight until March when we do the assembly and there will be no charge associated to that.

Supervisor Caldwell stated that we need to order the equipment by November 15th, if we want to take advantage of \$46,010.00 grant. He also provided a copy of the breakdown showing the actual equipment at \$102,026.00, wood fiber mulch - \$7,247.00, installation - \$23,500.00, freight - \$6,037.84, minus the grant of \$46,010.00 comes out to a total of \$92,800.84. He said that at the time of order (November 15th) we need to pay for the freight and equipment which is \$62,053.84. He further stated that after installation in March, we would have to pay the installation fee of \$23,500.00, wood fiber - \$7,247.00 and that payment would be \$30,747.00 which comes out to the \$92,800.84. He advised that there needs to be some work done by the Township. He said that this is strictly an estimated cost, excavation on site (we need blade work

up there with the supervision of their installation crew), two guys at \$100.00 an hour for two days - \$2,400.00, \$800.00 – for stone after the equipment is put in and there needs to be a fabric lining put down before and then after the stone is put down and then there is some landscaping after, estimated cost \$6,600.00 so the whole estimated cost of the entire project with the grant is \$99,400.84.

Supervisor Caldwell suggested funding using the \$10,034.50 from the Fallowfield Township Lion's Club (who disbanded and turned these funds over to the Township about a year ago,), \$89,366.34 to come out of Act 13 and that adds up to the \$99,400.84. He stated that does not include the Township fees of \$6,600.00 but that could come out of Act 13 also or wherever we decide at the time. He went onto say that on July 5th, we agreed that the Act 13 fund had \$144,012.97 after earmarks that could be spent, we received the 2016 Act 13 funds of \$175,774.93 which leaves a balance of \$319,787.90 for use. He went onto say that at the last meeting we earmarked \$85,216.00 for the Rodgers Manor Sewer Project leaving a balance of \$234,571.90, if we earmark \$89,366.34 for the playground equipment, we will have \$145,205.56 remaining in Act 13 for available use.

Supervisor Caldwell made a motion to purchase the equipment from GameTime for the total project cost of \$99,400.84 with the payment at the time of order (11/15/16) in the amount of \$63,053.84 and \$30,747.00 due after completion of installation and acceptance of the work and that we take the Lion's Club Funds - \$10,034.50, Act 13 Funds of \$89,366.34 for a total of \$99,400.84 for the entire project. Supervisor Caldwell called three times for a second to the motion and Supervisor Smith made a second to the motion. Supervisor Caldwell called for discussion.

Solicitor Agrafiotis asked if it was Co-Stars price, and Supervisor Caldwell replied, yes. Melvin Fox asked if there were any other quotes from any other companies to get it cheaper. Supervisor Caldwell said, no, it is a Co-Star price and it is not necessary to do that. He said that the Park Board did look at other equipment but the other equipment did not fulfill the needs that they wanted. He also said that Co-Stars guarantees the price.

Ronald Large spoke from the audience and ask how many people use that park up there. Supervisor Caldwell replied, not that many. Ronald Large said then why are we spending \$100,000.00 to put playground stuff up there. Supervisor Caldwell said because we want to try and develop the Township and try to bring in new business and economic development through housing and expand the population and tax base. He said that one of the things that was recommended to do that was through parks and recreation up there or somewhere in the Township. Yvonne Henderson spoke from the audience and was happy that they will have somewhere to take their kids.

Supervisor Sadler said that he personally feels that anytime we buy anything I am required to get two or three estimates regardless of anything. He said we have never received any of the meetings, where the park board has done this so there are two questions that bother me, nothing in any minutes that they made this decision and the fact that I really believe that out of fairness to the taxpayers that there should be other quotes. Supervisor Smith asked Supervisor Sadler how many quotes he got on the dump truck we are waiting on. Supervisor Sadler said, four. Supervisor Smith said four quotes for the same truck. Supervisor Sadler said you mean same kind of truck, it could be a different company, i.e. Freightliner or Mack. Supervisor Smith said those are not quotes,

those are just choosing what kind of truck you want. Supervisor Sadler said, no, that is what it would cost to purchase it.

Supervisor Caldwell said that could have been brought up the first time in April. Supervisor Sadler said that is what is always required of me every time I do something, I thought it was standard procedure. Supervisor Caldwell said standard procedure has been if it is the Co-Stars price and that is the equipment you want, that is the lowest price you are going to get. Supervisor Sadler said that is the way we purchase anymore, we don't put it out for bid, we always go by Co-Stars that is the procedures we go through. Supervisor Caldwell said and that is what we did. Supervisor Sadler said well we don't see any other quotes or comparable. Supervisor Caldwell said there is nothing to compare it to, he is going at different scenarios and we picked the scenario to best fit the Township's needs. Supervisor Caldwell asked if there was any other discussion. Gary Ainsley spoke and said it is isolated up there, how are you going to protect this stuff, I thought we were going to do this project in different steps this is a big chunk, I hear we still have bleachers sitting around that have not been put in place. Supervisor Caldwell said that is a fact. Gary Ainsley said I could see the families wanting some of this but we spend a lot of money, everywhere, all I see is money, money. Supervisor Caldwell stated that you must spend money to improve. He further stated that the bleachers will be put in in the spring for the ball season.

He also said that as far as security up there, later in the meeting, there is going to be a part where we are going to decide whether to have our Solicitor research the road all the way up to a point (ending where the sidewalk is). He said either way, we are going to put guide rails up the side with a gate up there at the top and once the gate is up at the top that cuts the access off from getting into the park with the lower gate on. He said now you have the upper gate and the lower gate, now if you have an ATV and they can come up over that 4-ft. bank then you can get in but as far as utilizing the road in and out and getting back in there, you are not going to be able to that anymore so the security part of it is going to be fine. He said you can't just say it is a security issue, Palmer Park is down there, they have nice equipment there. Gary Ainsley said every now and then on the news I see some ugly situations where people put a lot of money. Supervisor Caldwell said you can't just sit in your house and do nothing, you got to live. Supervisor Caldwell called for anything further and someone spoke from the audience who is involved in baseball (name unknown) and he stated that the parks will be used up there for around 160 games and kids are sitting there so they will use the playground equipment. Supervisor Caldwell called for a roll call vote:

Supervisor Smith – yes, Supervisor Sadler- no, Supervisor Caldwell – yes.

C. Motion to purchase 2015 Skid steer from Caterpillar per quote dated 10/17/16 in the amount of \$38,987.00 – Supervisor Sadler stated that a skid steer is used in many ways. He stated that he got different quotes on it to where what would be the most adequate for the Township with the best possible cost. He said we are looking at the Caterpillar 2015 262D SSL model, it is a year old but it is like brand new and these machines run close to \$70,000.00 but we received a quote on it of \$38,987.00. Supervisor Sadler made a motion to purchase the 2015 Caterpillar 262D SSL for \$38,987.00 and take the money out of Act 13, second Supervisor Smith. Supervisor Caldwell called for discussion and Solicitor Agrafiotis ask if it was a Co-Star price and Supervisor Sadler replied, yes, that is all Co-Star price because that is the only way I get it. Supervisor Smith ask that is excluding any attachments and Supervisor Sadler replied that is with a bucket. Supervisor Smith said so we can purchase other attachments later and Supervisor Sadler

replied, yes. A Cat representative was present in the audience and he ask if the Board wanted to consider adding that \$980.00 warranty to cover the machine for the next three years listed as an option on the quote. He said the machine is \$38,987.00 and if you want the three year 1,000-hour total machine warranty you need to add \$980.00. Supervisor Sadler changed the motion to purchase the 2015 Caterpillar 262D SSL for \$38,987.00 plus \$980.00 for the three year 1,000-hour total machine warranty taking the money from Act 13. Gary Ainsley asked for how many hours and the Cat representative stated three years or 1,000 hours, whatever comes first. He stated that would make the total cost \$39,967.00. Supervisor Caldwell said he needed a second, Supervisor Smith said I will re-second. Supervisor Caldwell called for a roll call vote:

Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell – no.

D. Truck portico addition tabled from previous meeting – Supervisor Sadler said for now let's drop it. Supervisor Caldwell everyone agreed, Supervisor Smith, yes.

E. Status of Chester Engineers License Agreement -Solicitor Agrafiotis stated that if you have seen the emails from today and the last couple weeks we are still trying to get this thing done. He should it not be a problem for us since we have taken their suggestions.

F. Status of Redds Mill Bridge repair, when will Metzinger Contracting complete the repairs – Supervisor Caldwell said under New Business there is a partial invoice to Metzinger Contracting. Solicitor Agrafiotis and the Secretary said it is pay request number one. Supervisor Caldwell ask if it was complete out there. Supervisor Sadler replied, no, they are charging us for all the cement work and the next thing they are doing right now is fabricating the side rails also the rollers are coming in. He said it will be another three weeks before they have it completed. Supervisor Smith ask everything that they need to complete they can do in cold weather. Supervisor Sadler replied, yes, there is only one problem right now, that the State requested that we put R5 stone on the upside of the bridge where the stream comes down and we did not get the permit from DEP. He felt they should be done in about three weeks.

G. Rodgers Manor Storm Water Project – start date – Supervisor Sadler reported that they did not get started yet because there were a couple things that they were looking at but they will be getting started very shortly and will be able to complete it if the weather prevails. Supervisor Caldwell ask about the blacktop and Supervisor Sadler said they can use cold patch or hot patch, if they can get it, if not they can cold patch till spring and then put the hot patch in. Supervisor Caldwell ask what was the holdup, they had a scope of work. Supervisor Sadler said they had a discrepancy, somebody said one of the bids wasn't proper. The Solicitor stated that in case anyone in the audience is wondering, that has been settled and the bids were okay.

H. Status of Riverview Avenue scope of work and GP3 Grant Application – Supervisor Sadler said that it was good for another year and half and that he went back over there this week with the County and was asking for an extension, plus we never did get the money that was supposed to have been granted to us because we're only about \$20,000.00 less than what he needed to do the project. He said so if I can get the extension then we will go forward to try and get the additional money and proceed with the procedures. Supervisor Smith and the extension would be for a completion deadline. Supervisor Sadler said that would be for another year and the money, we do have to put it up front, they do not put it up front. Supervisor Caldwell said that is contrary to what I was told. Supervisor Sadler said, I don't know where you got your

information, because I went to school for all this, they told us we had to put the money up front then we would be reimbursed as we did the project. Supervisor Sadler said they are going to reimburse us so we can take the money out of General Fund or Act 13, whatever and then they give us the money back as the project proceeds.

I. Status of Tower Street – Supervisor Sadler stated that it has already been put on Liquid Fuels, you must wait one full year before you are granted any money. Supervisor Caldwell, so this is complete now? Supervisor Sadler said, well this street isn't complete. Supervisor Smith, no, we said that we would have Chester Engineers do the completion quote before the end of the year so we could pay for their engineering mark just for the quote and we would do it next year. Supervisor Sadler said, he is involved.

Gary Ainsley spoke from the audience and ask what are we doing with Tower Street. Supervisor Sadler said ever since we made the Ordinance to go from the top of the hill, about four to five hundred feet, it was never on the Ordinance that we owned it, it was also picked up to go on out to the end, so first we had to make an Ordinance to have the whole amount of Tower Street as ours, then we turned it over to the state so we could get liquid fuels for it. He went onto say that the only problem that there is, is about 100 and some foot area that goes from where Bruce lives to the end of Tower Street that needs to be completed. Gary Ainsley ask are you talking about his neighbor and Supervisor Sadler replied, yes. Supervisor Smith said it is a Township Road. Gary Ainsley said I never thought it was and Supervisor Smith said it absolutely is and always was. Gary Ainsley said they would not even plow it. Supervisor Smith said I can easily provide the documentation that shows when it was taken over. Solicitor Agrafiotis said I spoke with our Engineer and he is going to get me a letter of some sort that says he reviewed the specs., physically reviewed the road and the center line description and all is good to go. He said that hopefully we can take care of this by Ordinance and that it can be ready for the November meeting so we can get it on liquid fuels by the end of the year. Supervisor Sadler said it meets all specifications and it just needs final paperwork.

J. Status of Ordinance of former Alta Drive now known as Monack
Way – That's good.

K. Status of Bentleyville and 481 Interchange projects -- Supervisor Sadler said pretty much on schedule.

L. Status of blighted properties – The Secretary provided the Solicitor with Mr. Monack's monthly report. The Solicitor read the major ones – Wisetown - condemnation has been started, I assume that he has noticed them, whoever the owner is because I know there were people living in there, as hard as that is to believe, but they are now gone as I understand it. It says Sersen condemnation is proceeding as well, now Earl, is part of that house down, Supervisor Sadler replied, no. The Solicitor said I thought somebody had started something. The Secretary said one has been purchased because we are not cutting two anymore. Supervisor Sadler said the one on Sersen has been purchased and they are getting ready to remove it. Someone spoke from the audience and said you are correct.

M. Status of Quality of Life draft ordinance tabled from previous

meeting – Supervisor Caldwell made a motion to have the Planning Commission look at the Quality of Life draft ordinance tabled from the previous meeting. Supervisor Smith said for the purpose of making recommendations, Supervisor Caldwell replied, yes, second by Supervisor Smith. Supervisor Caldwell called for discussion. Solicitor Agrafiotis stated that one of glaring things was the 6 inches on the grass difference between Borough and Township but he said that our maintenance code talks about 6 inches here also. The Solicitor said he has no problem reviewing it with the Planning Board, it is just to get the discussion started. Supervisor Caldwell called for a roll call vote:

Supervisor Smith -yes, Supervisor Sadler – yes, Supervisor Caldwell – yes.

N. Open bids for 2017, 2018 and 2019 Waste Removal – The Secretary reported that she had received two bids which she opened and were provided to the Solicitor for his review. The Solicitor determined that both bids were in order and they were as follows:

Advanced Disposal, 1192 McClellandtown Road, McClellandtown, PA 15458 – 1/1/17 to 12/31/17 - \$34.44; 1/1/18 to 12/31/18 - \$35.13 and 1/1/19 to 12/31/19 - \$35.83.

Republic Services, 234 Landfill Road, Scottdale, PA 15683 – 1/1/17 to 12/31/17 - \$39.72; 1/1/18 to 12/31/18 – \$41.22 and 1/1/19 to 12/31/19 - \$42.87.

Solicitor Agrafiotis stated that we did reserve the right to reject all bids and we could also table them until next month for review. Supervisor Smith made a motion to table the award so we can review both proposals, second Supervisor Sadler. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

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

Gary Ainsley spoke from the audience and said that at the last meeting the gentlemen was here and I was telling him what a good service we had, I always like to save money for the Township but sometimes that is not always the best thing to do.

O. Revised ABC Resolution – Supervisor Caldwell stated that we received a letter from the Authority of the Borough of Charleroi. He said that after a public meeting, the CSO Project has been reduced to a revised project cost of 27.6 million, the revised monthly user rates of \$32.00 per customer per month for the first six years; \$38.00 per customer per month for the remainder of the proposed 30-year financing terms. He stated that they have requested that we re-submit the revised Resolution. Solicitor Agrafiotis said that he had reviewed it and said that the first thing that needs to be done is that you rescind the previous Resolution which was number 472. Supervisor Caldwell asked if the Solicitor agreed with doing that and he replied, yes. Supervisor Caldwell made a motion to rescind Resolution #472, second Supervisor Sadler. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

Supervisor Smith – yes, Supervisor Sadler – yes, Supervisor Caldwell -yes.

Solicitor Agrafiotis stated that the easiest way for record keeping is just to mark 472 as rescinded as of October 26th and then you will pass the next one. The Solicitor asked if that was the next number but the Secretary explained that the LSA Resolution was the next number because this happened after. The Solicitor suggested holding off on passing Resolution #474 until Resolution #473 (LSA) is passed.

Anthony Fleming ask before the Board moved onto New Business a question regarding a blighted property on Grange Road and ask if it should be on the Zoning/Code Enforcement Officer's list. Supervisor Sadler said he (Frank Monack) did not pursue that yet, he posted it already, as of last week, he condemned it but he gave them a certain amount of time to try and do something about it. Anthony Fleming said she is still there and Supervisor Sadler said he knew she was. Anthony Fleming said because they are out in the community every day when they see things should they go to Frank Monack or to the Board. Supervisor Sadler said they should go straight to Frank Monack. Supervisor Sadler said that he had taken Frank to her house both times that she was taken to the hospital and showed him how deplorable the conditions were and he condemned it at that time but her son was there and stated that he was going to make amendments to it so Frank gave him a little bit of time to do that. How much longer he is going to give him, I don't know I can get ahold of Frank. Anthony said the only thing you can do is pull that out of there it is in very bad condition. Anthony just wanted to make sure the Board was aware.

New Business:

A. Motion to approve Charleroi Girls Softball (Mon Yough League) field usage for the 2017 season. Schedule to be determined – Supervisor Caldwell said we were approached by somebody who wanted to start a boy's league and we met with both the boys and girls. He stated that it is his understanding that the girls have seven teams that they play in the Mon Yough League. The boys would like to start up four teams, 10 and under, 11, 12 and 13 and up. They measured up the fields and to utilize the field usage, the girls will play most of their games at the Elementary Park and the boys will play most of their games down here at the municipal fields and the girls will play a couple games down here with certain leagues. He stated that they just wanted to make sure that the Board of Supervisors agreed with them using the fields for the 2017 season.

Supervisor Caldwell stated that Charleroi Baseball was using the field but they abandoned the usage of the field this year so we no longer think that they should have access to the fields and this group is specifically a Fallowfield group of people putting this program together. He said that the boys will be in the Westmoreland traveling league and the girls will be in the Mon Yough League. Supervisor Caldwell stated that we need a motion to approve the Charleroi Girls Softball League using the fields for the 2017 season, Supervisor Smith, so moved, second Supervisor Sadler. Supervisor Caldwell called for discussion. The Solicitor said we are going to send a letter to last year's people, Supervisor Caldwell, that is correct. Carol Fox asked if they are paying for the use of these fields or is there a set price. Supervisor Caldwell replied, we have not determined that yet. Solicitor Agrafiotis said we should amend the motion to make sure that they provide insurance, background checks and releases before they can start, Supervisor Smith said so move, second Supervisor Sadler. Supervisor Caldwell called for a roll call vote:

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

B. Motion to approve Fallowfield Boys Baseball (Westmoreland Travelling League) field usage for the 2017 season. Schedule to be determined – Supervisor Smith said so moved with the addition of the group providing the insurance, background checks and releases, second Supervisor Sadler. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

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

C. Motion to approve Planning Commission response to questions from General Code and resubmit for final preparation of Codification Book – Supervisor Caldwell stated that there were a series of questions that were gone over and we met with our Solicitor who amended the questions and were approved by the Planning Commission at the last meeting. He said that we just need the Board’s approval so we can forward them on and finish up the codification of our Ordinances. Supervisor Smith said so moved, second Supervisor Sadler. Supervisor Caldwell called for discussion. Supervisor Smith said, not much of a discussion, but I would be surprised if that is the final. Supervisor Caldwell called for a roll call vote:

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

D. Linda V. Stennett, Representative from John K. Tener Library – Linda V. Stennett spoke and thanked the Board of Supervisors for their \$2,000.00 contribution in 2016. She also discussed the many activities ongoing at the library and their constant search for funds to keep the library functioning.

E. Resolution #473 opposing any amendment to the Local Share Assessment that would reduce the amount of allocation to host in any contiguous municipalities and counties – Supervisor Caldwell said this was a sample Resolution sent to us by Washington County and basically it states that we would like to not see any change to the Local Share Act which is Act 71. Supervisor Sadler made a motion to approve Resolution #473, second Supervisor Smith. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

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

Supervisor Sadler made a motion to adopt Resolution #474 (Act 537 Sewage Facilities Plan), second Supervisor Caldwell. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

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

F. Discussion of 2017 Township Budget – Supervisor Caldwell stated that just to let everyone know we have been working on the 2017 Budget and will have more information forthcoming in November. Supervisor Smith said we still can’t tell you what to expect as a result of the County Reassessment and said that they have provided a sample formula of how to calculate assessment going forward based on preliminary numbers, but we do not even know if that is accurate. The Solicitor said that November 15th is when you are supposed to get your final figure.

G. Motion to instruct Solicitor to research Elementary Park property boundaries to determine if road can be considered for Liquid Fuels and guide rails installed from entrance to end of side walk and gate installed – After Supervisor Caldwell read the captioned of Item G – New Business, Supervisor Smith said so moved, second Supervisor Sadler. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

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

H. Damage to property of Lorraine and James Shrader located at 1584 Grange Road – Supervisor Sadler said that the Road Crew was mowing on the side of the road and the Shrader's claimed that a rock flew up the hill and put a hole in their siding. He said that we did not want to turn it into the insurance company. He said that he took a contractor out and the cost to repair it would probably be around \$100 or \$150.00. Supervisor Sadler made a motion to repair the damage to the home of Lorraine and James Shrader located at 1584 Grange Road that we allegedly did to the siding not to exceed \$250.00, second Supervisor Smith. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

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

I. Fallowfield Township Volunteer Fire Company utilization of used fuel tank – Supervisor Sadler said that the Township gave them the tank but after all the changes up there, they found out that they cannot use the tank. Supervisor Sadler made a motion to rescind giving the 250-gallon fuel tank to the Fire Company and that we keep it, second Supervisor Smith. Anthony Fleming explained that the insurance company would not allow them to put it up there. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

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

J. Approval of Contractor Pay Request No. 1 from Gary Metzinger Cement Contractor, Inc. on the Redds Mill Bridge Project in the amount of \$26,212.50 – Supervisor Sadler stated that our Engineer clarifies these pay requests before we make any payments. Supervisor Sadler made a motion to pay Gary Metzinger Cement Contractor, Inc. the sum of \$26,212.50 for the first payment of the repair of Redds Mill Bridge. Supervisor Caldwell asked the Secretary to look up where this money was to be paid from and take it out of the proper fund. Supervisor Sadler said believed that it was to be paid from Washington County Local Share. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

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

K. Fox Stop Road Railroad Bridge letter – Supervisor Caldwell stated that we received a letter from Rick Skovensky, Penndot Representative, regarding this matter. Solicitor Agrafiotis said that we are still looking into this matter. He explained that sometime ago, the Township was involved in litigation in front of the PUC with Wheeling and Lake Erie Railroad regarding this bridge. He said that the railroad company did not want to pay to replace the bridge but eventually the Court ordered them to pay for the replacement. He said that the initial decision, which I have not gone through the whole file yet, was that the Township had to pay to inspect the old bridge. He said that the old bridge is not there anymore, it has been replaced, so the question becomes now who is to pay for it to be inspected. He said that so far, the Township has been paying for the inspection every two years but that we only pay 20% of the total inspection fee because we are a municipality (the Federal government pays the other 80%). He went onto say that he is still looking into it and wants to see if it is feasible or if it even makes sense financially to fight over that. He said he should know answer next month.

L. Parcel consolidation request – The Solicitor reported that for a while we had an influx of the County form that allowed people to say, I have 10 parcel identification numbers and I want them consolidated under one number, well that was a pretty easy

solution but the County for whatever reason has stopped that. He said now people must go through getting basically a reverse subdivision or un-subdivision, having to pay the expenses to do that, coming to the Township to have that approved and once they do that they must do a consolidation Deed. He said that we had two consolidation requests, one from Robert and Terry Wheatley and one from Robert Kyle care of his attorney, Mr. Mudrick. He said that reviewing it and speaking to Mr. Mudrick, I am going to make the call that we are unfortunately going to have to make them do the subdivision or reverse subdivision. He said that he needed the Board to authorize him to send a letter to Robert and Terry Wheatley stating that if they want their parcel consolidation considered, then they must come to us with a subdivision plan. Supervisor Caldwell said I am going to make that motion, second Supervisor Sadler. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

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

The Solicitor said I need the same motion for Robert Kyle, Jr., Supervisor Caldwell said I will make that motion, second Supervisor Sadler. Supervisor Caldwell called for discussion and there being none called for a roll call vote:

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

Other Business:

None.

Reports:

Parks & Recreation: Supervisor Caldwell reported that they have not been meeting because of schedules, etc. He stated that he sent out a letter to each member of the board asking them if they were still interested in being members of the board, he received a few responses back and he is waiting on the others and will know more by next meeting.

Planning Board: Provided by Supervisor Caldwell.

Solicitors Report: The Solicitor said nothing further.

Code/Building/Zoning Report: Provided by Secretary and is on file.

Road Report: Per Supervisor Sadler, on file.

Fire Report: Provided by Secretary.

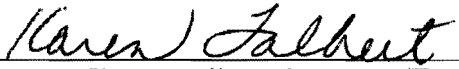
Animal Control Report: Provided by Secretary.

Public Safety Liaison: Supervisor Smith stated that he received a letter from the Office of the Governor addressed to Mr. Pudliner, and assumed that this was finally his official appointment as Emergency Management Coordinator. Supervisor Smith spoke directly to Anthony Fleming, Fire Chief, in attendance at the meeting and said that Mr. Pudliner is probably going to approach you to discuss and ask if you could suggest an assistant for that position from within your organization. Anthony Fleming said he will do that. Supervisor Smith stated that he had forwarded back to HRG the GIS Base Map and he was able to make a notation that Alta Drive needs changed to Monack Way and he also expressed our concern that the base map did not show SR numbers on state roads and that we would like that added and explained that at a later date we wanted Township Road numbers added to street names as well. He also advised that he had activated our subscription to GIS on line.

Public Discussion:

Ronald Large – Junk vehicles all over the Township.
Melvin Fox – Three mills of tax money going to fire company; charging fees to the ball leagues.
Gary Ainsley – Executive sessions.

Supervisor Caldwell stated that the next working meeting is scheduled for November 21, 2016, and the next regular meeting is scheduled for November 30, 2016.



Karen Talbert, Secretary/Treasurer

