

FALLOWFIELD TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting

March 29, 2017

Call to Order:

Supervisor Caldwell called the meeting to order at 6:00 p.m. prevailing time and led the Pledge of Allegiance. After the Pledge of Allegiance, a moment of silence was held for D. Keith Melenzyer.

Roll Call:

Fallowfield Township Supervisors met for the March 29, 2017, 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 there were two items that needed to be added under New Business, Item R. – define property lines for possible fencing and Item S. – Emergency Management Generator. He asked if there were any other additions to the Agenda, Supervisor Smith said he wanted to add an item to begin the discussion to hire summer help under New Business as Item T. The Solicitor said that although we really do not have to vote on this, he ask that the Board add the Heavy Hauling Agreement with Geokinetics as Item U under New Business. Supervisor Caldwell called for a motion to approve the Agenda as modified, Supervisor Smith said so moved, second Supervisor Sadler. Supervisor Caldwell called for discussion and there being none a roll call vote was taken.

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

Public Comment on items marked with an asterisk:

Supervisor Caldwell called for any public comments on the items to be voted upon and no one spoke and Supervisor Caldwell moved on.

Supervisor Caldwell reported that Executive Sessions were held on March 20th and 28th, 2017, at which time the Board discussed litigation.

Approval of the Minutes:

Supervisor Caldwell asked if there were any corrections or additions to the minutes of the regular meeting held on February 22, 2017, and if not, called for approval of the minutes. Supervisor Sadler made a motion to approve the minutes of February 22, 2017, second 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.

Approval of the March Paid Bills and Payroll:

Supervisor Caldwell called for a motion to approve the March paid bills and payroll, Supervisor Smith said, so moved, second Supervisor Sadler. Supervisor Caldwell called for discussion. Supervisor Sadler said he had questions regarding the U.S. Municipal bill for street signs for \$944.50 (deaf signs and posts) and then under the unpaid bills the deaf signs were listed again for \$305.23. The Secretary said that is a mistake and she will have to check and see what description of the item purchased was incorrect. She said she will pull that out during the Executive Session. Supervisor Smith said let me re-state that motion, I make a motion to accept the paid bills with the understanding that there is a possible correction to be made, second Supervisor Sadler. 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.

Approval of the March Unpaid Bills:

Supervisor Smith made a motion to pay the unpaid bills as of March 28th except for the three auditors bills, as in the past few months, until we work through that, second Supervisor Sadler. 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.

Correspondence:

Supervisor Caldwell reported the following correspondence:

1. A letter from Gulisek Construction regarding the Crossridge Road Bridge that will be permanently closed to traffic on April 3, 2017, at 8:00 a.m.
2. DEP letter that Maple Creek Mining had renewed their coal mining activity permit for water treatment only.
3. DEP approval letter regarding the CSO project with ABC. The CSO project had been resubmitted to the DEP which was accepted and that should be reducing the cost from in the 60-million-dollar range into the 30-million-dollar range.
4. Letter from the Washington County Planning Commission asking if we had any bridges in the area for the Transportation Improvement Plan Update.
5. Letter from WPPC regarding why we went from a regular customer to a demand customer and Supervisor Caldwell asked the Secretary the status of that. The Secretary stated that because we had used more than 1,500 kw two months in a row at the municipal building and down at the garage, that puts us into demand billing and it is now going to be more expensive. She said just this month alone, the kw's had doubled down at the garage (2,500 last month and this past month to 5,000) so the bill went from \$600.00 to \$1,000.00 (this was for everything municipal building, garage, street lights, etc.). Supervisor Smith said we need to have our meters checked. Supervisor Sadler said he did not see any reason for the kw hours to have doubled at the garage.

6. Supervisor Sadler reported that if you have a farm (50 acres or more), the Washington County Farmland Preservation Board has money that you can apply for and they will pay you for your ground but you must keep it as a farm. He said that you cannot subdivide it, strip it, etc., for seven years. He said that a Public Information Workshop will be held Wednesday, April 12, 2017, at 5:00 p.m. at the West Pike Township Building in case anyone is interested. Supervisor Smith said does that stop gas well production. Supervisor Sadler said, no, any easement of that nature, you cannot stop it.

Old Business:

A. Status of Multi-Municipal Comprehensive Plan Committee – Supervisor Caldwell stated that the Committee met and they talked to one of the developers of South Pointe (Horizon Properties) and Lou Panza of Mon Valley Hospital trying to get different ideas for promoting the area, developing single family housing and possibly even apartment type housing.

B. Status of adoption of Resolution for Ed Opst, C.P.A. to audit 2016 books - Solicitor Agrafiotis stated that this was in the March 17th newspaper and we need thirty (30) days so it will be ready for consideration at the April 19th meeting. He said that the copy that was provided to the newspaper had it as Resolution No. 486 but it looks like that will be 488 because we have two resolutions to adopt tonight.

C. Status of Quality of Life Ordinance – Solicitor Agrafiotis said at last month's meeting we discussed that it was being sent back to the Planning Commission and he believed that the Planning Commission had approved this version. The Solicitor ask if the Planning Commission submitted a letter and Supervisor Caldwell replied that they will. The Solicitor said so it will be up to the Board if they are so inclined and happy with the final version to pass a motion to advertise it for the April meeting. Supervisor Caldwell said that the Planning Commission reviewed it. The Solicitor said it basically gives the Code Enforcement Officer the ability to issue Citations like a parking ticket instead of giving a notice of violation and going to the Magistrate, they can just issue a ticket on the spot for most code violations. He said that it seems to work well for most municipalities that have it. Supervisor Caldwell made a motion to accept the Planning Commission's recommendations to adopt Ordinance No. 230 and to advertise it for the April Supervisor's meeting, second Supervisor Sadler. 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.

D. Status of Chester Engineer License Agreement as well as past Township records – The Solicitor said that he is still reaching out to some additional moving companies; however, with the rumored impending sale of Chester (ceasing to exist as of this Saturday) hopefully we will get a little more cooperation from the new owners and not have to go through the expense and aggravation, but it is still on the Agenda.

Supervisor Sadler said that he talked with our Engineer and he said that there will be no changes whatsoever regarding the change in ownership. He said that he is going to try to get us our records (11 to 12 boxes). The Solicitor said just have him put them in his car and bring them here and we will sign a release form, Supervisor Sadler said that is what he is going to do.

E. Status of Park revitalization program – Supervisor Caldwell reported that they have the bleachers assembled, two are on site, four still need to go up. He said that two of the dug outs at the Elementary Park have been re-roofed, two more are being re-roofed this weekend, the concession stand has had the new toilet's put in and dry wall along with the sink, fields are in pretty good shape as well as they put the dirt down and they also got the fence done for the two fields up above and repair the one down here.

F. Parks and Recreation Board request to maintain the \$45,000.00 currently being held in the Parks and Recreation Matching Funds account in place for future matching fund grant applications – Supervisor Caldwell said this was tabled from the last meeting and ask if there has been anymore research done on this. He stated that we are going to receive some type of a grant from EQT so we need to do something with this money so it is available because the grant from EQT is going to be a matching grant. He said the original request to EQT was \$50,000.00 but we are not sure what the exact amount will be. Supervisor Smith made a motion to maintain the \$45,000.00 in a similar account with the understanding that we do whatever bookkeeping entries are necessary to clean up the trail and probably should consult with the accountant on how that would look without it being too complicated. Supervisor Smith said Mr. Sadler is right, it should show some trail. Supervisor Caldwell said that is not a problem. Supervisor Sadler said it should also be put in there too at the end of the year, if you didn't get a grant, it would automatically go back in. Supervisor Sadler said is this all coming out of Act 13. Supervisor Caldwell said no, I believe \$17,000.00 came out of Local Share. The Solicitor said we always say that it returns. Supervisor Sadler said it also must show that the \$45,000.00, what part comes out of what, as far as what comes out of Act 13 and the other out of Local Share, the Solicitor said that would be correct.

Supervisor Caldwell said that there are three or four amounts at different times that made up the \$45,000.00. Supervisor Sadler said that most of it comes out of Act 13. Supervisor Sadler said it has to be stated how this total came up to \$45,000.00 and where it was taken out of. Supervisor Caldwell said that is what Supervisor Smith had in his motion. Supervisor Sadler said we didn't have it in our motion, they just had a blanket thing, am I not right, Solicitor. Supervisor Smith said it did when we allocated the funds. The Solicitor said it said where they came from, Supervisor Sadler said you will do it again right now to reallocate them, Solicitor correct, Supervisor Smith from the same accounts into another holding. The Solicitor said it does not have to be from the same accounts, whatever account you bring it from it is going to have to be specified.

Supervisor Caldwell said all you have to do is bring up the individual numbers starting back in 2012 and you can follow the trail to get to the \$45,000.00 (Solicitor said that is fine too) all we have to show is the \$45,000.00 is now there because of that trail and you are going to hold it for future grants. The Solicitor said I am not disputing that; I am just saying you could technically bring it from other accounts since the money went back. Supervisor Caldwell said he could not find where it said that it goes back in the minutes.

Supervisor Sadler said that is a lot of money for us to set there and say we want \$45,000.00, where did it come from, I mean future people won't know where that came from. The Solicitor said I did not read the minutes, I agree with you there, my recollection was it was earmarked for a specific project and if the match or grant was not received then the money was returned and that was my recollection. Supervisor Sadler said that is exactly the way it was. Supervisor Caldwell

said then we are going to have to look that up. The Solicitor said you are going to designate the \$45,000.00 as a match, correct, for this year, Supervisor Sadler said, yes, and the Solicitor said and you are going to use the exact same amounts from the exact same funds as in the previous motions, Supervisor Smith said, yes, the Solicitor said okay, Supervisor Sadler said can you do it that way, Solicitor said, correct. Supervisor Smith said we will clean up the accounting trail in the process, that is the motion, second Supervisor Sadler. Supervisor Caldwell called for discussion. Solicitor Agrafiotis stated that it would probably be a good idea to attach to these minutes the section of the previous minutes that show where the funds came from, attach them as Exhibit "A". Supervisor Caldwell called for a roll call vote:

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

G. Discuss West Penn Power offer to convert street lights to LED per information and costs provided in email dated 2/14/16 – Supervisor Caldwell said that he recalled discussing this at the working meeting but was not sure where it was left. The Solicitor said that the contract that WPPC wanted locked the Township into a 10-year term and if any lights are replaced or provided with said 10-year term, then the initial 10-year term starts for those specific lights that are added or replaced and then at the end of 10 years it goes to a year to year. Supervisor Sadler said that it depended on how old the lights were and ours were not old enough at the time, ordinarily it would not cost if they were a certain age but we have a couple more years before they meet the requirements. Supervisor Smith said they did provide us with that information, and Supervisor Sadler said yes, they did. Supervisor Smith said, I missed that then. The Secretary read from an email and said that 10 of the lights were installed on 11/6/2008 and one was installed in 2014, so they are a long way from being 20 years old. Supervisor Smith moved to table this matter. Supervisor Caldwell said table it or drop it. Supervisor Smith rescinded his motion and said we can just let it drop and can discuss it at a later date.

H. Status of MS4 permit, Storm Water Management and GIS Programs with HRG – Supervisor Smith reported that there is no update on the MS4 project, the issues they were having with Esri and North GIS online as it relates to our base map seem to have been resolved and they are going to provide something to us shortly. The Solicitor said that he emailed Ben around 5:30 p.m. tonight and he had not heard back from him so he will probably respond tomorrow.

I. Opening of stone bids – The Secretary stated that she had received one stone bid. She opened it and provided it to the Solicitor who reviewed the paperwork and stated that everything was in order. The bid was from Jack Kruell, 306 Johnson Avenue, Belle Vernon, PA, and was as follows:

2,000 tons of PA-2A subbase - \$16.90 a ton for a total of \$33,800.00.
500 tons ASHTO #8 - \$21.65 per ton for a total of \$10,825.00.
600 tons ASHTO #3 - \$19.25 per ton for a total of \$11,550.00.
900 tons ASHTO #1 - \$19.00 per ton for a total of \$17,100.00.
900 tons ASHTO #57 - \$19.50 per ton for a total of \$17,550.00.
1,000 tons of R6 (12-18-inch face) - \$23.90 per ton for a total of \$23,900.00.

Supervisor Caldwell said what is that compared to before. The Secretary pulled out last year's bid and said the first one was \$14.65 per ton; \$24.82; \$16.65; \$16.65; \$17.50 and \$17.50

and the grand total last year was \$99,270.00. Supervisor Smith said what is this year's total and the Solicitor replied, \$90,848.90. Supervisor Sadler made a motion to award the stone bids to Jack Kruell, and he said that I am not going to give you a price because of the fact that we don't have to buy all of this, you understand me, I am just going to say award it to Jack Kruell, second Supervisor Smith. Supervisor Caldwell called for discussion. Solicitor Agrafiotis asked have we done that in the past or did we accept the bid for the full amount. Supervisor Sadler said you do not have to do the full amount because we don't buy it that way, we have to accept the full amount, I think I would be wrong if I did that Tom, in other words I can use more of this or less of this, if I put it as we are going to take the whole thing, it would be wrong in case I did not need it. Supervisor Smith said you can go up to those tons. The Solicitor said you should say that we accept the bid to go up to \$90,848.90. Supervisor Sadler said I will change that to we award the stone bids to Jack Kruell for a total not to exceed \$90,848.90, second Supervisor Smith. Supervisor Caldwell called for a roll call vote:

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

J. Opening of Superpave bids – The Secretary said we did not receive one bid on the superpave and Supervisor Sadler made a motion to rebid the superpave to be opened at the April meeting. Supervisor Smith asked where we advertised and the Secretary said in the Mon Valley Independent. Supervisor Smith said I think we should expand where we advertise for that. Supervisor Smith made a motion to advertise in addition to our standard paper (Mon Valley Independent) that we advertise in the Observer Reporter this time, second Supervisor Sadler. 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.

K. Motion to approve Resolution to destroy meeting tapes as soon as transcribed and minutes approved at next monthly meeting – Supervisor Caldwell said we discussed this at the last work session. He said this was recommended by PSATS at the last seminar. The Solicitor said that he did look into it and that is done, so he thought it would be appropriate, if you want to, to pass a motion approving Resolution #486. He said that would be to destroy the tapes of the meeting minutes once the minutes are typed and approved at the following regular meeting. Supervisor Smith said we have already discussed switching from tape to digital. He said once you create digital minutes it is not just a matter of destroying a tape, you may want to look into the proper procedure going forward into that. Supervisor Sadler said but right now we are still using tapes so we just go ahead and approve Resolution #486 only dealing with tapes. The Solicitor said this would also clear up any other tapes we have from prior meetings. Supervisor Caldwell said we can always change it if we go digital. Supervisor Sadler made a motion to adopt Resolution #486, second Supervisor Caldwell. 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.

L. Status of Motion to research and develop township email addresses for each Supervisor for conducting all township business and correspondence – Supervisor Smith said he has not had a chance to talk to Ken Cole (IT guy). Supervisor Sadler made a motion to table this matter, second 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.

M. Motion to approve Kyle consolidation subdivision – Solicitor Agrafiotis stated that he has yet to see it; however, Colin Lampark did review it and provided a letter where he points out several discussion points; corrections and/or notations so it would probably be a good idea if you want to approve it, to do it conditionally, upon those corrections being done, which I will provide to CZ Surveying and also my review, that way if it gets done before the next meeting, Mr. Kyle won't have to wait until April 19th. Supervisor Sadler made the motion to approve the Kyle subdivision conditionally upon the corrections being made pursuant to the Engineer's letter and the Solicitor's review, second 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.

N. Motion to approve Resolution #486 to provide the Mid Mon Valley Transit Authority with local funds in the amount of \$928.00 in order to match state funds provided for the fiscal year 2017-2018 – The Solicitor said this Resolution is going to be #487. Supervisor Caldwell said we need a motion to approve Resolution #487 to provide the Mid Mon Valley Transit Authority with local funds in the amount of \$928.00 in order to match state funds provided for the fiscal year 2017-2018, Supervisor Smith said, so moved, second Supervisor Sadler. 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.

O. Tower Street – Supervisor Sadler said, the thing of it is, it started out at 221 lineal feet to extend Tower Street from Bruce's property over to the end and the thing of it was, it has a sub-grade underneath under it that actually a lot of it has to be done over because it is not significant enough or capable to handle putting a black top base over top of it. He said that this bid is totally put out because of the fact that we are going to bid it out and there is a lot more to it as far as not just putting down a 2-inch binder coat and a 1 ½ inch wear coat, it is coming out a total of rough guessing of \$15,260.00. He said now with a figure of \$15,260.00, you can actually put it out as a quote because of the fact that it is below \$19,200.00 or \$19,500.00 but this is a rough estimate of what it is going to be. Supervisor Smith said if you quote something and the quotes come in higher than the bid amount, do you then have to bid it. Solicitor Agrafiotis said, that is correct. Supervisor Sadler said you should still advertise it for this amount, you know what I am saying. Supervisor Caldwell said are we going to do it when we are doing the paving or separately. Supervisor Sadler said you can just add it to the paving, you know what I am saying, or you could do it separately. Supervisor Smith said could it get down cheaper if you lump it in with the paving. Supervisor Sadler said, no, I think because of the fact that you have to put a sub-grade underneath it I don't believe, I think it is going to be roughly what he (Engineer) has here, they are usually pretty close, it comes out around \$43.60 per yard. Supervisor Sadler said I would like to set on this for another month and talk to him about it because we just got this three hours ago. Supervisor Sadler made a motion to table, second 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.

New Business:

A. Motion to instruct Solicitor to draft a Resolution to advertise the 2016 audit upon completion – Supervisor Smith asked the Solicitor if this Resolution was necessary since we are already required by statute to advertise it. The Solicitor said I don't believe so. The Solicitor

said you could pass a motion to have the Board advertise the audit when it is completed, the Secretary, or me, the Township. Supervisor Smith made a motion to go ahead and advertise as necessary, once the audit is completed, second Supervisor Sadler. 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.

B. Motion to enter into an agreement (Community Services and Furlough in To Services Agency Agreement) with the Washington County Community Services/FITS Office in order to facilitate care of the Newkirk Cemetery – Supervisor Sadler explained where the cemetery is located and said no one wants to take care of it so the County takes care of it by bringing in the prisoners to cut it. The Solicitor said in your eyes we were holding them immune if the screw up and what is to say. Supervisor Sadler said they already did, Tom. The Solicitor said I thought we were voting on this tonight. Supervisor Sadler said all they are going to do is cut the grass.

The Solicitor said that he is just pointing out for the record that this Agreement makes them immune if the screw up, we can't do anything. Supervisor Sadler said you mean if they knock over a tomb stone or something. The Solicitor said whatever they do, even if they kill someone. Supervisor Sadler said anything that has ever happened they always justified their actions. The Solicitor ask if we know where the Fallowfield portion begins and the Bentleyville portion begins. The Solicitor ask if Bentleyville is signing one of these Agreements. Supervisor Smith made a motion to table this matter until we can find out about Bentleyville. Supervisor Sadler said about half of it (approximately) is in Bentleyville. The Solicitor said that Bentleyville has to sign it too. Supervisor Smith said that is a good point. The Solicitor said what if they do something on the Bentleyville side and Bentleyville has not signed it and they try to point the finger to us. The Solicitor ask if this is a pressing issue, and the Secretary said that it was because the grass is growing and nobody is cutting it. Supervisor Sadler said it will back them up because I can only get them one time a year. The Solicitor said the next meeting is only in three weeks and he could contact Attorney Makel (Bentleyville Borough's attorney) and see what the status is. Supervisor Smith made a motion to table, second Supervisor Sadler. 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.

C. Motion to advertise the sale of the 1993 Ingersoll Rand roller – Supervisor Sadler explained that we need to sale the roller because we recently purchased a new roller. He further stated that trade in value would not have brought as much money as an outright sale. He said that before he sales any Township equipment, that he is required to have a professional look at the equipment and give the proper amount of what it is worth. On this particular piece of equipment, Cleveland Brothers came out and looked at it and said that the “wholesale in the running condition with your current issues is around \$2,500.00, if you should be able to sale it outright in the \$4,000.00 to \$5,000.00 range, that is approximately what it is worth and they suggested to put it up for a minimum bid of \$5,000.00”. Supervisor Sadler read aloud information that he had prepared regarding this piece of equipment. Supervisor Sadler made a motion to advertise the sale of the 1993 Ingersoll Rand roller for a minimum bid of \$5,000.00, second 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.

D. Discussion and motion to enter into a Municipal Bond with CFS Bank to cover the expenses of the Riverview Road Project –Supervisor Sadler explained that he applied for a grant to repair this deteriorated road (he said it has storm water management problems, needs gabion baskets, rip rap, DSA overtop of the whole road). Supervisor Sadler said that the thing of it is, it is an \$80,000.00 grant and Fallowfield is responsible to do 15% of the work. He stated that work was going to be putting in the cross drains and the other work has to be put out for bid. He said that we have to pay the contractor first, and it would be a three-month period, that we would turn around and get our money back. He said what they want to do is, they want to take out a municipal loan for that period of time. He said that personally he thinks it would be more advisable, rather than go through all the aggravation of a three or four-month loan, just to take it out of our General Fund and then put it right back in a three-month period. Supervisor Sadler said the thing of it is, you would not be taking it out for \$80,000.00, you would take it out probably for \$70,000.00 because you figure 15% roughly of \$80,000.00, and it could escalate a little bit, as of right now, we just did another cost look and we are very close to \$80,000.00 right now. He also said that it has to be done by November and he could not get an extension if he had to, he said that he could ask for a little more money, if it exceeded, but at this time we don't feel it is going to.

Supervisor Caldwell ask are they going to give us a guarantee that they will give us the money in three months. Supervisor Sadler said I can't say that but when I went to school on all this, it said usually you get that money back in a period of that time. Supervisor Smith said \$80,000.00 is our portion. Supervisor Sadler said no, about \$70,000.00 approximately we would have to put up. Supervisor Caldwell said if it is at the end of the year then it goes into a roll over. Supervisor Sadler said, I can't say. Supervisor Smith said what makes it stranger yet is the way the agreement CFS has written, it terminates at the end of the year, so we might have to pay it at by the end of the year, whether we have been reimbursed or not.

Supervisor Sadler said it will probably be before the end of the year because I have to have the job completed by November. Supervisor Caldwell said he (CFS Bank) probably does not realize that these funds are not needed until then. Supervisor Smith said, I do not have a problem with the low interest loan, but that would go into at least the end of the first quarter of 2018. Supervisor Smith if we don't finish it until November and we don't get reimbursed for a few months at the end of the year, we are liable to pay off that loan. Supervisor Caldwell said why don't we make a motion so that he does not get stalled on proceeding with the project, and we go ahead and do a municipal loan and make sure it can go past December 31st.

Supervisor Sadler said the big thing right now is he is waiting for his permits. Supervisor Smith said they should not have a problem with one year. Supervisor Caldwell asked if you are still waiting on the permits, the next meeting is in three weeks. Supervisor Sadler said I should have the permits by the next meeting. Supervisor Caldwell suggested tabling it. Sadler said we must continue on once we start it; Secretary said we could have the loan for any term no payments due until the maturity date. Supervisor Sadler asked the interest rate and Supervisor Caldwell replied it is 1.69%. Supervisor Caldwell made motion to go into a municipal loan at the rate of 1.69% with CFS Bank, closing cost of \$250.00 and ask for the correct amount of time frame needed in the amount of \$75,000.00, second 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.

E. Motion to approve a not to exceed sum of \$3,000.00 for removal of potentially dangerous trees in Township right-of-way's (Rodgers Lane & Cooper Road) – Supervisor Sadler said we have received many complaints on these trees and we are attempting to keep them from falling onto the power lines, etc. so he made a motion not to exceed \$3,000.00 for removal of trees on Rodgers Lane and Cooper Road, second for discussion by Supervisor Smith. Supervisor Smith said this is not something we can do ourselves. Supervisor Sadler said you better believe it, Supervisor Smith said because of equipment, Supervisor Sadler said they are in the wires. Supervisor Smith changed his second for discussion to a second. Supervisor Caldwell called for further discussion and there being none called for a roll call vote:

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

F. Motion to approve a not to exceed sum of \$3,000.00 for removal of potentially dangerous trees on Armbruster Road – Supervisor Sadler said he was called out there the other day on a complaint and he said he took the tree men out there and these are huge trees, beyond what we can do. He stated there are about nine trees which are dangerous and deteriorated in the trunks. He felt that we probably could keep the cost under \$3,000.00. Supervisor Sadler made a motion to not to exceed the figure of \$3,000.00 for removal of trees on Armbruster Road. Supervisor Smith said are we going to seek competitive quotes on these. Supervisor Sadler said they are all pretty much the same, I am going to be honest with you, these are professional people and I have used them in many different cases, I have had them come in at different times, one came in and still had another one come in and they were very, very close. Supervisor Smith second for additional discussion.

The Solicitor ask if we get insurance from these people. Supervisor Sadler said yes, we do, they are all registered with us and they carry all of the credentials they need as far as all of the Pennsylvania stuff and everything of that nature. He said that a lot your tree men do not have all of this. He said that we definitely have everything of their credentials. The Solicitor said so you get their insurance, and Supervisor Sadler replied, yes, we did. Supervisor Smith said for the trees that we do have to deal with that fall or we have to cut, would it be an advantage to us to purchase a thumb for one of the backhoe buckets so we can grab and load things onto our trailer. Supervisor Sadler said these trees are so high, 60 or 70 feet high, Supervisor Smith said I don't mean these. Supervisors Sadler said that would be advisable. Supervisor Sadler said I would say we took 300 trees down last year and our calls are diminishing, out of the last three wind storms we had trees but that is ones that are in the power lines but we can't touch those. Supervisor Smith said can you get attachments on the backhoes. Supervisor Sadler said yes, you can because we have an IT package. Supervisor Smith changed his second for discussion to a second. Supervisor Caldwell called for additional discussion and there being none called for a roll call vote:

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

G. Motion to return Bond #CMS233399 (\$8,750.00) to CNX Gas regarding Redds Mill Road – Supervisor Sadler said CONSOL came in here about seven or eight years ago and they did a lot of shallow gas drillings and now they want their bonds returned. He said that he and the Engineer went over these roads and he said CONSOL has been very good to us. He said that anytime he has called them, they have even black topped roads for us; they have put guide rails in for us. He also said that they will no longer be working on these roads. Supervisor Sadler made a motion to return Bond #CMS233399 in the amount of \$8,750.00 for Redds Mill Road,

second 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.

H. Motion to return Bond #CMS0260703 (\$37,500.00) to CNX Gas regarding Redds Mill Road and Truman Road – Supervisor Caldwell said we need a motion to return Bond #CMS0260703 in the amount of \$37,500.00 to CNX Gas regarding Redds Mill Road and Truman Road, Supervisor Smith, so moved, second Supervisor Sadler. 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.

I. Motion to return Bond #CMS223403 (\$32,125.00) to CNX Gas regarding a blanket road use – Supervisor Caldwell said we need a motion to return Bond # CMS223403 in the amount of \$32,125.00 to CNX Gas regarding a blanket road use, Supervisor Smith, so moved, second Supervisor Sadler. 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.

J. Motion to return/allow cancellation of Bond #106403396 of Weavertown Transport Leasing, Inc. regarding heavy hauling on Redds Mill Road – Supervisor Sadler said that we have rode the road and we see no discrepancy and see no reason that we can't return the bond on Redds Mill Road to Weavertown Transport. Supervisor Smith said, you don't think any of the damage along Redds Mill is their fault. Supervisor Sadler said, that would be very hard to prove, it would have been quite a few years ago. Supervisor Smith said, is that a motion and Supervisor Sadler replied, yes, second Supervisor Smith. Supervisor Caldwell called for discussion. The Secretary stated that Travelers was the Bond holder in this matter and they notified the Township that effective April 16th the bond will be cancelled. The Secretary asked if the Bond should be sent back or should we just let it be cancelled. The Solicitor said they may want the original back so I would just send it back. Supervisor Caldwell called for further discussion and there being none called for a roll call vote:

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

K. Request for release of Bond from Chevron Appalachia LLC (Atlas Energy Resources, LLC regarding .77 miles on Chalfant Road and .42 miles on Pines Marginal Road – Supervisor Sadler made a motion to table this matter as he did not have a chance to review this with the Engineer, second 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.

L. Motion to advertise for bids for #2 diesel fuel – Supervisor Sadler made a motion to advertise for 3,000 gallons of #2 diesel fuel, second 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.

M. Motion for repair batting cage at the Community Park in the amount of \$2,150.00 – Supervisor Caldwell stated that we had a quote from All Around Fence as part of the main project that they had done up there and the batting cage was a non-useable repair, the pipes

could not be straightened so I asked them to give us a quote so I can put the batting cage back to the way it was. He said that basically, it is replacing one side and adding 6 cross members and that is the only way it can be salvaged. Supervisor Sadler said where are you going to take this money from. Supervisor Caldwell said to tell you the truth, I think that there is going to be enough money in that \$23,050.00 previously allotted because some of the fencing we did not do. Supervisor Sadler and Supervisor Caldwell discussed the money that was already spent from the \$23,050.00. Supervisor Caldwell also stated that there will be a full accounting of what was spent at the working meeting on what it was used for, how much is left and the Park Board wants to present what they would like to do to complete a few of the projects. Supervisor Caldwell made a motion to repair the batting cage at Community Park using \$2,150.00 from the \$23,050.00 that was already approved, second Supervisor Sadler. 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.

N. Motion to purchase electric hot water tank additional funds required not to exceed \$200.00 – Supervisor Caldwell reported that of the \$2,000.00 we asked for building supply materials, there is only a balance of \$240.07 of the \$2,000.00 and that is why we are asking for a not to exceed of \$200.00 to purchase a 40-gallon hot water tank because that dollar figure is \$369.00 at Lowes. Supervisor Smith asked if it broke, and Supervisor Caldwell replied, yes. Supervisor Sadler said where is this at and he replied at the Elementary Park, Supervisor Smith asked if it was not drained and Supervisor Caldwell replied that he did not know or if the elements got to it. Supervisor Sadler said where is the money to come out of and Supervisor Caldwell said it will be part of the \$23,050.00 previously approved. Supervisor Caldwell made a motion to add the funds to purchase a hot water tank not to exceed \$200.00 and it is to be taken from the \$23,050.00, second Supervisor Sadler. 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.

O. Motion to apply to Penn Dot to install Park Entrance Signs on Route 481

Supervisor Caldwell made a motion to apply to Penn Dot to install park entrance signs on Route 481 up by the gated Florence Drive, Elementary Park. He said he was not sure what the procedure is for doing that. Supervisor Sadler asked if we can we table this until we get more information. He further said that Fallowfield is only responsible for speed limit signs on any state road, he said anytime we put any other sign up, we have to apply for it and let them know the size of it, where we are putting it up. He said this is too vague at the present time, you understand me, so if we can table that until I get more information. Supervisor Sadler made a motion to table, second Supervisor Caldwell. 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.

P. Motion to approve Invoice #OTBIT1737 from Outside the Box IT for our annual service contract (which included a one year of Microsoft Office 365 Business) in the amount of \$3,126.00 – Supervisor Smith said this is actually a renewal and I will make the motion, second Supervisor Caldwell. Supervisor Caldwell called for discussion. Supervisor Sadler asked how often he comes here and the Secretary spoke and said that he comes whenever she needs him and often he can log in remotely and make the repairs. The Secretary stated that he is very good

and she explained that \$750.00 of the bill is the Microsoft Office 365 which we need for updates and antivirus. Supervisor Sadler asked if he charged additional for calls and the Secretary replied no that is for everything. The Solicitor asked if we have a contract and the Secretary replied yes originally, we did but like Bruce said, it is renewal. Supervisor Caldwell called for a roll call vote:

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

Q. Motion to purchase new signs per quote – Supervisor Caldwell said you may want to table this until the next meeting and that is fine, but these signs were designed by the Sign Guy in Charleroi. He said that he went to Mon Valley Signs back in January, when this came up with the Park Board, and he went down there twice personally and called the third time and never got a response back from him. Supervisor Caldwell said this is the design that the Sign Guy came up with and I think the dollar figure is \$2,400.00 installed. Supervisor Sadler asked where they are going to be installed. Supervisor Caldwell said the one for the Municipal Building will be down here at the bottom of our property and the Road Maintenance one will be down there where the one is on Route 481 where the sign is now and the other one will be by the gate at the other park and other one will be up here on the hillside.

Supervisor Sadler said the size of these signs are 4X8 it is a 4X4 post and it is all installed for \$600.00 apiece. Supervisor Smith asked if it was proper to have Supervisors' names on there. Supervisor Caldwell said that when they looked at others, they were at other parks. Supervisor Smith said is that easily changed and Supervisor Caldwell replied, yes. Supervisor Caldwell made the motion to purchase the signs in the amount of \$2,400.00 (four signs at \$600.00 each) from the Sign Guy installed to be paid from Act 13 Funds, second Supervisor Sadler. 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.

R. Define property lines for possible fencing – Supervisor Caldwell stated that there was an incident up at the Elementary Park with a neighbor complaining about dirt being dumped on their property. He said that he was up there Saturday and he did not believe that where the dirt was dumped was on his property. He said that he would like to get the Township Engineer or a surveyor over there to verify where the property is and install chain link fence. He stated that when measurements were made for the other fencing, he had them measure this off and he is working up a price for fence, if we so desire to do it. He said that he sure would like to know where those boundary markers are because he did not believe that what the neighbor thinks is his property is his property. Supervisor Caldwell said that it is the same way over on the side where the road comes up, what those people think is theirs, he does not believe it is.

Supervisor Sadler said that Bill DeiCas surveyed up there approximately five years ago and maybe we could see if he still has the records. Supervisor Sadler said he knows where some of the pins are. The Secretary said that Bill does not work anymore and it may be hard to get records from him. Supervisor Smith said we should pursue this. Supervisor Sadler made a motion to re-survey parts of the park that are necessary, second Supervisor Caldwell. Supervisor Caldwell called for discussion. Solicitor Agrafiotis asked if there was any ball park figure for this. The Solicitor said I thought we were going to have a Chester Engineer's surveyor do that if Mr. DeiCas did not have the records. Supervisor Caldwell made a motion to table it, second 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.

S. Emergency Management Generator – Supervisor Smith said we have had some electrical issues here and in addition we have had discussion in the past about putting an emergency generator here. He said that the past issues involved the fact that we have a three-phase power supply here with no main. He said that he found out through an electrical engineer that was probably acceptable when it was done but maybe not so much now. He said that we have sort of agreed to replace that panel so that we do have a main. He said then we started talking about this emergency generator and combining the two projects and the electrical engineer who looked at this put together some numbers.

The electrician who wanted to do it wanted to replace the two three phase panels with single phase panels only using two of the legs of power coming in. He said that WPPC is not too keen on that being done. A copy of the estimate of costs and description of the project is attached hereto as Exhibit "A". Supervisor Sadler made a motion to table this matter, second 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.

T. Discussion regarding the hire of summer help – Supervisor Smith said I think we should start discussing whether or not we are going to hire summer help. Supervisor Sadler made a motion to table, second 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.

U. Heavy Hauling Agreement with Geokinetics - The Solicitor said that we usually do not vote on these but since this is coming up in the next couple days, he figured we would just do it at the meeting. He said we need a motion to authorize the Township to enter into a Heavy Hauling Agreement with Geokinetics for the seismic testing. He said that Mr. McKay has been in touch with him and provided him with all the information and they are going to give us a \$100,000.00 blanket bond plus insurance. He also stated that he has been in touch with Earl and Earl will be working with him on the roads. Supervisor Sadler made the motion to enter into the Heavy Hauling Agreement with Geokinetics and that he be designated as the Supervisor to sign the Heavy Hauling Agreement since he will be signing other documents on behalf of the Township on this project, second 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.

Other Business:

Solicitor Agrafiotis said that this afternoon he received the Dacko Subdivision review and he wanted to know if we wanted to table it or conditionally approve it once the guy does what the Engineer recommends and I review it. Supervisor Sadler said was it recommended by Colin already. The Solicitor said, yes but he just has a bunch of comments on it. Supervisor Sadler said so it will be under conditions again, and the Solicitor replied, yes. Supervisor Sadler said do you see anything wrong with it. The Solicitor said, I have not seen it yet. Supervisor Smith asked if the it has already been through the County and the Solicitor replied, yes. The Solicitor said you can table it or conditional approval upon my review, he said I don't see why it can't be tabled. The Solicitor asked the Secretary if this has been hanging around for a while and the Secretary said I

have it but I did not even think we would do it because Colin just took it. The Solicitor said it was not even on the Agenda anyway. Supervisor Caldwell said we need a motion to table and the Solicitor said there is no need for a motion to table because it was not on the Agenda.

The Solicitor asked if there was going to be a motion on the Grange Road property or are we going to have an Executive Session and Supervisor Caldwell said we are going to have an Executive Session.

The Solicitor said because of Keith's passing I need a motion to approve my bill because I did not get it in until this afternoon. The Solicitor said we are going to reserve the right to vote on other business after the Executive Session tonight.

Reports:

Parks & Recreation: Provided by Supervisor Caldwell.

Planning Commission: Nothing further.

Solicitor's Report: He reported on the repository sale of a mobile home.

Code/Building/Zoning Report: Provided by the Secretary.

Road Report: Provided by Earl Sadler verbally and a written report put on file by John Grossi, Road Master.

Fire Report: Provided by Secretary and Anthony Fleming also spoke and provided a more detailed verbal report.

Animal Control Report: Provided by the Secretary.

Public Safety Liaison: Nothing further.

Public Discussion:

Solicitor Agrafiotis stated that at the conclusion of public discussion the Supervisors are going to have an Executive Session which may or may not require a vote so I just want everyone to know that is giving public discussion if they are leaving, there may be a vote on some issues and you may be gone for that before the meeting is adjourned.

Mike Kabay - Mr. Kabay read a statement (a copy of the statement is attached hereto and made a part hereof) – water trucks for gas wells.

Gary Ainsley – Raising taxes; Emergency Generator and purchase of roller.

Scott Hovanec – Dacko and Kyle subdivisions.

Joan Rakosky – Non-payment of elected Auditors; payment of partial hours to Helen Sadler for 2016; meeting between Auditors and Board of Supervisors; duties of elected auditors after a C.P.A. is hired.

Greg Rakosky – Issue with Parks and request for how much money was spent on the parks since 2014 to the present.

Gladys Isbell – Failure to pick-up garbage on Riverview Drive.

Ronald Large – Water trucks traveling on Route 481; spending money on the Parks.

Helen Sadler – Old School Road sign; (Secretary addressed sign questions that Supervisor Sadler raised in Paid and Unpaid bills); advertising of annual financial audit; 18.5 hours she was paid for elected auditing service; elected auditors duties.

Eric Mraz – Height of a curb on Hillman Street near his home needs corrected; inlet install not correct height.

Matt Melvin – Matching funds for volunteer work; grass cutting the ballfields; control over state roads.

The Board went into Executive Session and returned at 8:39 p.m. The Solicitor said we are back under Other Business, the monthly Solicitor bill for March is for \$2,875.00. Supervisor Caldwell made a motion to pay the Solicitor's bill for March in the amount of \$2,875.00, second 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.

Supervisor Caldwell stated that at the Executive Session the Board discussed the property at 1592 Grange Road and we need a motion to make an extension until the April 19th meeting, Supervisor Smith, so moved, second Supervisor Sadler. Supervisor Caldwell called for discussion. The Solicitor stated that just for clarification the stay of the condemnation is because further progress has been made by the home owner. Supervisor Caldwell called for a roll call vote:

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

Supervisor Caldwell stated that we need a motion because of a grievance filed to contact our labor attorney in Pittsburgh for further review and consultation probably with Shon Woner or anyone from his firm. Supervisor Smith made a motion that we consult with Shon Woner or anyone in his law firm about a current pair of grievances against practices for the current CBA, second Supervisor Sadler. 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.

Supervisor Caldwell stated that the next working meeting is April 10, 2017, @ 6:00 p.m. and the next regular meeting is scheduled for April 19, 2017, at 6:00 p.m. Supervisor Caldwell called for a motion to adjourn, Supervisor Sadler, so moved, second Supervisor Smith. Supervisor Caldwell called for a roll call vote:

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





Karen Talbert, Secretary/Treasurer