

**Elizabeth Township
Board of Commissioners
Monday, January 15, 2018
Commissioners' Meeting**

Call to Order

Pledge of Allegiance & Moment of Silence

Roll Call

Commissioner Similo-present
Commissioner Walk-present
Commissioner Kuzma-present
Commissioner Beckowitz-present
Commissioner Blake-present
Commissioner Rhoderick-present
President Evans-present

Executive Session Acknowledgement: Solicitor Racunas states that there was an executive session held immediately prior to the meeting to discuss personnel and pending litigation with the Township.

Bid Opening for Arrow Drive Storm Sewer Project

Department Reports:

Code Enforcement - Code Enforcement Officer John Snelson submits his written report to the Board of Commissioners.

Engineer – Engineer Bryan Churilla reports that they have done a structural evaluation of the maintenance garage. They will be doing another evaluation now that the Fire Inspector has been out there and they will continue to work on that. Commissioner Kuzma asks if Engineer Churilla has heard anything about the salt shed. He believes it was about a year ago that KLH had done sketches for a new salt shed because it is deteriorated and at over capacity. Engineer Churilla tells him he believes several years ago they did put together an evaluation and one option was to keep it there and he thinks they did look at other areas. Commissioner Kuzma is not opposed to a new salt shed and asks if there is any way to tear down the one that's there and rebuild one in the same spot or is this one too small. Engineer Churilla explains that it's too small and he also mentions that at that time, with the evaluation they did, the capacity they looked at was based on the recommendations and the needs of the public works superintendent at that time. They haven't looked at it recently with new staff and management so it's something they could do. President Evans states he is aware that the roof is falling in on the one end and it's in bad shape so it does need replaced.

Police - Chief Kerestes reads his report log of events and investigations for December 2017. There were 698 events logged in Allegheny County 911; 5 adult arrests and 2 juvenile arrests, officers conducted 47 traffic stops and issued 3 traffic citations, officers investigated 17 motor vehicle crashes, 9 reportable, 8 non-reportable with 3 injuries. Department also participated in the South Hills Regional D.U.I. Task Force Roving Patrol on December 30, 2017.

Public Works – Public Works Foreman Jake Weigand discusses the garage fire and what the insurance company is taking care of. Also states that it will take some time, perhaps a few months, to get things

repaired and back to normal. President Evans tells members of the audience that there was a garage fire on January 8, 2018, and it's because of the quick response of the responding Fire Departments the fire was contained to one building. Jake Weigand tells the Board that a Fire Inspector from West Virginia did determine that the fire was caused by faulty wiring in the truck and he points out that the truck was 19 years old.

Solicitor - Nothing other than the items discussed during Executive Session.

Sanitary-Veolia Water - Commissioners are given a written report and are informed that the plant was in compliance for December.

Resolutions:

Motion to adopt Resolution No. 2018-4 declaring the Workingmens Mutual Beneficial Union as a civic organization. **Motion:** Commissioner Rhoderick. **Second:** Commissioner Kuzma. There are no questions on the Resolution. **All in Favor: The Ayes have it, Motion carries.**

Items for Consideration:

1. Motion to approve the Commissioner meeting minutes dated August 21, 2017. **Motion:** Commissioner Kuzma. **Second:** Commissioner Blake. There are no questions on the Motion. **All in Favor: The Ayes have it, Motion carries.**
2. Motion to approve the General Fund Bill Warrant dated January 15, 2018 in the amount of \$293,929.35. **Motion:** Commissioner Blake. **Second:** Commissioner Kuzma. There are no questions on the Motion. **Roll Call Vote: All in Favor: Motion carries.**
3. Motion to approve the Sanitary Fund Bill Warrant dated January 15, 2018 in the amount of \$94,290.05. **Motion:** Commissioner Blake. **Second:** Commissioner Rhoderick. There are no questions on the Motion. **Roll Call Vote: All in Favor: Motion carries.**
4. Motion to approve Sanitary Bond Requisition No. 56 in the amount of \$17, 163.00. **Motion:** Commissioner Rhoderick. **Second:** Commissioner Blake. There are no questions on the Motion. **Roll Call Vote: All in Favor: Motion carries.**
5. Motion to authorize payment in the amount of \$738.38 to Animal Dental Clinic of Pittsburgh for K-9 treatment received. (to be paid out of K-9 Fund) **Motion:** Commissioner Rhoderick. **Second:** Commissioner Blake. There are no questions on the Motion. **Roll Call Vote: All in Favor: Motion carries.**
6. Motion to reimburse Officer Dan Novacek in the amount of \$50.19 for K-9 related expenses. (to be paid out of K-9 Fund) **Motion:** Commissioner Rhoderick. **Second:** Commissioner Blake. There are no questions on the Motion. **Roll Call Vote: All in Favor: Motion carries.**
7. Motion to appoint Andrew Kuzma as Secretary to the Elizabeth Township Board of Commissioners for document verifications. There is discussion among the Commissioners regarding who to appoint. Solicitor Racunas informs them it must be a Board Member and that they probably want someone who is more available to sign documents. Commissioner Rhoderick asks Commissioner Kuzma and he agrees.

Motion: Commissioner Blake. **Second:** Commissioner Rhoderick. There are no questions on the Motion. **Roll Call Vote: 6:1 Commissioner Beckowitz votes no. Motion carries.**

8. Motion to purchase 2 new computers for Administration Offices in the amount of \$1, 281.76. (COSTARS pricing) **Motion:** Commissioner Rhoderick. **Second:** Commissioner Blake. There are no questions on the Motion. **Roll Call Vote: All in Favor: Motion carries.**
9. Motion to purchase 2 new computers for Police Department in the amount of \$1,872.32. (COSTARS pricing) **Motion:** Commissioner Rhoderick. **Second:** Commissioner Blake. There are no questions on the Motion. **Roll Call Vote: All in Favor: Motion carries.**

Citizens to address items:

Nick Cohen: Mr. Cohen introduces himself to the Board as a representative of Invenergy. He is here to request a hearing date for Invenergy's proposal for the Map Amendment and Text Amendment for Casturo property. Invenergy would like an opportunity to be heard with the information that they have provided. He respectfully request the Board to set a date to have that hearing. Solicitor Racunas explains that Chris Evans is now the President of the Board and there is a policy being put into place that any items that are going to be voted on must be in the Thursday before. The Commissioners will consider it and if they want it on the agenda it will be for the next meeting.

Emil Burak: Signed up to speak and when called, declined.

Anthony King: Commissioner Similo states that he advised Mr. King to come to the meeting and address the Board because this is a difficult matter. Mr. King explains to the Board that he lives on a dead-end street and he understands that the road crew has to turn around the salt trucks somewhere, however the bottom 3 pads of his driveway have been destroyed from the weight of the salt truck. It was already approved at one point to be repaired but he has a guy coming in to replace them because at this point he wants what was there to be heavier so that he doesn't have this issue again. IE said he couldn't approve for the Board to cut a check for the half of the driveway that was damaged from the trucks turning around, so he is here to get it moving so he can get the driveway replaced. Commissioner Kuzma asks Mr. King when the driveway was damaged and he tells him it's been going on for the last two (2) years. Solicitor Racunas asks Engineer Churilla if he has looked at the damaged driveway and is told that he has not, Jake Weigand has looked at it. Commissioner Similo tells him that we agreed to do part of it. Solicitor Racunas recommends sending an engineer out to look at it. President Evans advises that Jake Weigand and an engineer both go down and look at the driveway and we'll go from there. Commissioner Similo states that we had agreed to do the repairs, now it's a question of should we not do it, let him do the whole driveway and reach some agreement on the amount. Solicitor Racunas suggests not doing anything until Jake and an engineer look at it because nothing can be done this time of the year. President Evans states if our trucks are running over it, and like Mr. King said, the right way to do it is so there is enough base underneath it so it doesn't happen again, and this is what the engineer will look at. Mr. King tells him he had two (2) guys come out and look at it and one was a lot more than the one he chose to do the work. He explains he is not here to get money or the most expensive driveway, he just doesn't want it to break again. He understands why the trucks have to turn around there because there is nowhere else to do it on Gibson. President Evans assures Mr. King that it will get taken care of.

Russell Verbanec: Mr. Verbanec tells the Board he only has a couple of questions. One question about what caused the fire was answered. But reading the report in the paper, they quoted you (Jake Weigand) as saying that the firemen were kind of rushing in there and might not have known there were propane tanks stored in the shed that was on fire. He was wondering if there was some way signs could be put up on the storage shed. Jake Weigand tells Mr. Verbanec that he wasn't complaining about it but he was commending them, he thought they did an excellent job. Mr. Verbanec acknowledges that it was very commendable, but typically on a shed where you have flammables or something that could explode, you would have signage on there, like on the doors saying

that there's propane stored inside so that when the firemen get on the scene they would know what 're up against. Being that we had this incident, he thought that they could look at where we're storing stuff and how we're storing it and see if we can make things a little bit better. Jake Weigand tells him that there's no heat in that garage which is the reason the truck was plugged in and that's the best place to store stuff like that because there's no flame or anything around that stuff and that's where we have to keep it. Mr. Verbanec states he is not saying anyone did anything wrong or is placing blame on anyone. President Evans tells him that he's trying to be proactive and a good thing to do might be to have a walk through with the fire companies so they know what's over there and where things are at. Commissioner Beckowitz asks if they ever tried to put heat on that side and Jake Weigand tells her that they're talking about it now. Commissioner Beckowitz says they can even use portable heaters, like a baseboard heater. Engineer Churilla tells her that they do make unit heaters that you can mount that are separate from the HVAC system. Jake explains that he can't keep a lot of hot things in there, you really have to keep it cold. There's tar in there for our tar buggy and that stuff will deform if it's kept at room temperature. He continues to tell the Board that basically they can have some heat in there but it would have to be where we keep the truck at and keep it low. Right now it's the safest place they have for storage. Mr. Verbanec states he has one other question for the engineer on the sewage plant project, the pipeline. He asks if there have been any updates from the DEP and Engineer Churilla tells him there's still nothing on that.

Emil Burak: Tells President Evans that he worked in a place in Murrysville where they had to coordinate with the fire department. They had to turn in drawings of where all the stuff was because they wanted to know what was being stored and where it was. He thinks warning signs are a good idea and President Evans tells him he agrees and that's why he wants the fire companies to do a walk through because it could have been a catastrophe if they didn't get here as quickly as they did. Solicitor Racunas informs the Board that he did an ordinance for a municipality some time ago that stated if there was so much hazardous material, it had to be registered so that the First Responders knew about it. He will see if he can find it.

Fred Bickerton: He addresses the Board and tells them that there is an OSHA regulation that if you have any flammable or explosive material, it has to be stored in a fireproof cabinet. So if you have this stuff stored over there you should have it in a fireproof cabinet. There is discussion between Mr. Bickerton and the Board about storing propane in the garage. He next wants to discuss Huntley & Huntley. He explains that residents were made a lot of promises by Huntley & Huntley during a presentation at the public hearing. One of those was that they contacted the schools about the busing so that they could handle the traffic issues during school hours. He went to the school board meeting last week and they're talking about road closures and bridge closures in the Township and there are quite a few of them coming up. He raised the question what were they doing about the Apollo B Well and he got a bunch of dumb looks. The Superintendent told Mr. Bickerton he didn't know anything about it. Nobody on the school board knew anything about it. The administration didn't know anything about it. The people that Huntley & Huntley should have talked to about the busing had no idea. How can they come to a hearing and stand up here in front of us and tell us they've talked to the schools and you go and talk to the schools and they don't know anything about it. They lied or gave us misleading information about that so what else did they lie or mislead us on. They provided us with a lot of information and we took them at their word. Somebody better go back and check on that.

The second item he wants to discuss is delinquent taxes because he knows the school board is in the process of trying to collect delinquent taxes. He tells the Board that he is told by the school that there are over \$2 million dollars in taxes that they're working on and asks what the township doing about collecting delinquent taxes. Solicitor Racunas explains that generally the schools have much more at stake because their milage is higher and it's a very expensive process. He tells Mr. Bickerton that he doesn't have any local municipalities that go after tax delinquencies and do sheriff sales. We have a delinquent tax collector that sends notices and goes through the process. Mr. Bickerton states that the interesting part about that is somebody raised that question to the school board and their comment was that it was costing them \$7 per person to go back after these people for delinquent taxes. Solicitor Racunas tells him that this is a lot of money. \$7 per resident to collect delinquent taxes and Mr. Bickerton states to collect \$2 million dollars. Solicitor Racunas points out that \$2 million may be the delinquency, but that doesn't mean it's collectable and probably most of that is not. The ones you go after are the people that can pay them or the ones that you can sheriff sale and flip them. School Districts and Municipalities are not in the business of property ownership. Commissioner Beckowitz tells Mr. Bickerton that when we had

PAMS as our delinquent tax collector they would give us a printout at the end of the year after everything was recorded. She asks solicitor Racunas if we get that from Keystone and he replies that maybe we should follow up with them and find out what's going on. Commissioner Beckowitz thinks we need to request a printout and see where we're at and then we would pick and choose which ones we would want to take to sheriff sale. There were a lot of properties on there that were worthwhile going after and a lot of names that had the money to pay it and didn't because they knew the township would never pursue anything. She also believes we should request the delinquent tax list and Solicitor Racunas agrees. Commissioner Similo adds there are a lot of properties where the beneficiaries want nothing to do with it. He has been saying for years that they should forgive the back taxes if someone is willing to buy the property and put it back on the tax rolls and we couldn't get the school board or the county to go along with it. Solicitor Racunas tells him that he's not sure if they are permitted to forgive back taxes. The sheriff sale process does that, you can petition to sell it free and clear of the taxes to get rid of it but that's a \$7-\$8,000 process to get there.

Mr. Bickerton asks how many pieces of property could be sold if people were just aware that it was available. If people aren't paying their taxes, take it from them and make it available to someone who will pay taxes. Solicitor Racunas states if anyone in the township knows somebody that's next to a lot that's delinquent, the Allegheny County Vacant Property Recovery Program will take that through and clean the taxes and get it to you he thinks at no cost. John Snelson tells him there is a cost associated with that. There's a parcel fee and a lot of times they waive it, but there is still some cost associated. Also, there's another part to the program where you can get the property if there's a structure on it if somebody is interested to either rehabilitate or demolish the structure. Commissioner Beckowitz asks Solicitor Racunas that when he requests the delinquent list, she would also like him to request a list maybe from the last couple of years to see how much they've collected in delinquent taxes.

Commissioner Walk addresses the Huntley & Huntley question regarding the school bus issue brought up earlier by Mr. Bickerton. He states that from those hearings he seems to remember that Huntley & Huntley was interested in learning how the school district had set up their texting to the parents if there's a two (2) hour delay or school cancellation that it was part of their emergency response in case they had a problem at the well site. He doesn't remember them saying that they were going to directly discuss ... interrupted by Mr. Bickerton where he states that is not what he's talking about, what he's talking about is they stated that they had talked with the school district about not having trucking during school hours, during the hours that the buses were on the road. Commissioner Walk responds that he remembers they said they were going to park their trucks during the time that the buses were on the road. Mr. Bickerton again states that they said they had discussed it with the schools and that was said on more than one occasion. Commissioner Walk asks if anyone can remember that. President Evans informs Mr. Bickerton that Jennifer from Huntley & Huntley is present and she can answer his question. She tells him that Huntley & Huntley will be working with the school district. They don't have a finalized route though. The Commissioners put as one of their conditions of the permit approval that they have sole ownership of their truck route is so until the Commissioners tell them what their truck route will be, they can't coordinate with the school district. Mr. Bickerton tells her that he understands that but the statement was made on more than one occasion. Jennifer tells him that they did not say that but that they will do it. Mr. Bickerton states he has the recording and she tells him that fine, he can play it back, she knows what it says.

Claire Bryce: It is difficult to hear Ms. Bryce because she is not speaking near the microphone. Tells the Board she finds it hard to believe that Dr. Rocco doesn't know when he accepted the money. Commissioner Walk tells her the second thing he wanted to comment on is one of the reasons why he came to this position is that there's no communication between our Board and the School District and that there needs to be a committee. He understands in talking to the Commissioners that it use to happen on a monthly basis, but it hasn't happened for a long time. Ms. Bryce tells him when the school district wanted a resource officer they came to the Commissioners and Commissioner Beckowitz adds that when they want something they come to the meetings and then we never see them anymore. President Evans agrees that it is a good idea and that it has been brought up before by Commissioner Kuzma so they will definitely get a committee with a few commissioners and a few school board members and open that dialogue a little bit more. He knows it's been tried before. Commissioner Rhoderick adds that part of the goal would be like Mr. Bickerton said, to get some of these properties back because it's going to take the school district and the county to get on board. The township itself has a lot of property. If we could work with the county and the school district to auction it off and put it back on the tax roll,

but it takes all three bodies to have a dialogue to work together and get it done, because we're cutting the grass and taking care of all these properties and Commissioner Kuzma adds that tearing down a house is about \$7,000. Commissioner Similo states that we've always had a roadblock doing this because of the school district and the county. Commissioner Beckowitz adds that the school district has never been very cooperative.

Bill Bury: He tells the Commissioners that he believes he brought this up at the last meeting, and possibly an oversight by Huntley & Huntley and the issue with the school district, it seems to him that there's a lack of communication between Huntley & Huntley, the township, and the school district. Mr. Bury discusses bus routes with the commissioners, but it is difficult to hear what he is saying because he is not speaking near the microphone. Solicitor Racunas explains that DEP controls a lot of it, if there is dirt and noise, light, odor, anything like that we would be notified and code enforcement would take care of it, the Commissioners would take care of it, if it comes to a legal issue, he would take care of it. There is discussion between Mr. Bury and Solicitor Racunas.

President Evans thanks the Board for giving him the opportunity to serve as President, he appreciates it. Also, his mother passed away the day after Christmas and all the phone calls and the text messages, the Facebook posts and the flowers sent, and every Board member showed up and that meant a lot to him and his family and he thanks everybody for the condolences. He tells them it means a lot.

Motion to Adjourn: Commissioner Kuzma.

-

President, Chris Evans

Joelle Whiteman, Office Manager